

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49182 of 2015

Arising Out of PS.Case No. -12 Year- 2015 Thana -SIMRA District- AURANGABAD

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Tetari Devi Wife of Munna Paswan Resident of Kusama Basdiha, P.S. Simra, District – Aurangabad	 Petitioner
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Versus

The State of Bihar	 Opposite Party
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Appearance :

For the Petitioner/s : Mr. Sanjay Kunar, Adv.

For the Opposite Party/s : Mr. Sucheta Yadav, Adv.

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

4 15-12-2015 Petitioner apprehends her arrest in a case under section
341, 323, 307, 376, 511, 34 of the Indian Penal Code.

The petitioner is mother-in-law of the victim Suman Devi. The victim alleges that her husband is of unsound mind and taking advantage of the same, her brother-in-law tried to commit rape in which this petitioner also helped. She further alleges that on protest, her father-in-law, mother-in-law (petitioner herein) assembled at the place of occurrence, thereafter on orders of the father-in-law, mother-in-law sprinkled kerosene oil and set the victim on fire.

The petitioner submits that the allegation of pouring K.Oil on the victim is false. She also submits that it appears improbable that a mother would help her son in committing rape. Further, there was superficial burn injury to the extent of

3 to 9% was found on different parts of victim’s body.

So far as denial of allegation of pouring the kerosene oil is concerned, the same would be matter of evidence. In view of the fact that injuries are around 3 to 9% on the part of the informant, let the petitioner surrender before the court of Chief Judicial Magistrate, Aurangabad and seek regular bail which would be considered on its own merit also taking into consideration that she is an old lady and the injuries sustained by the victim were simple in nature.

Shashi.

(Samarendra Pratap Singh, J)

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