

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22532 of 2015

Arising Out of PS.Case No. -15 Year- 2015 Thana -SANOKHAR District- BHAGALPUR

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MEENA DEVI wife of Koko Mandal @ Koko Prasad Singh resident of Village Boda, Police Station Sanokhar (Amdanda OP), in the District of Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mrs. Rita Verma (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 08-10-2015

Heard both sides.

The petitioner apprehends her arrest in a case under Sections 304B/201 of the Indian Penal Code.

The informant alleged that his grand-daughter Sonam Devi was married with Manish Mandal (son of the petitioner) about 9-10 months ago. The informant further alleged that he got information that his grand-daughter was killed and her dead body was disposed of. Sri Akhileshwar Prasad Singh, learned Senior Counsel for the petitioner, has submitted that the petitioner is the mother-in-law of the deceased and there is no allegation against the petitioner. It is submitted that Papu Mandal, the father of the deceased, disclosed that Koko Prasad Singh informed him on telephone that Sonam Devi fell ill and she died on the next day and her dead body was cremated after post-mortem. It is submitted

that the husband of the deceased and the husband of the petitioner are in jail.

On the other hand, learned counsel for the informant as well as learned A.P.P. have vehemently opposed the prayer for anticipatory bail and submitted that the victim was brutally assaulted by her husband and other in-laws. Rukmini Devi and Sadanand Singh in Para 6 and 8 of the case diary have specifically made allegations that the mother-in-law of the deceased (the petitioner) was also having a stick in her hands and there was hue and cry inside the house. The dead body of the deceased was recovered from river Ganges. Post-mortem report shows ante-mortem injuries on the dead body.

On perusal of the record it appears that the deceased (daughter-in-law of the petitioner) was killed in her Sasural within a year of her marriage. The witnesses, namely, Rukmini Devi and Sadanand Singh have stated that the petitioner was also armed with a stick and she was asking the people to disperse from her house. Pappu Yadav (the driver of the vehicle) disclosed that he took the dead body for treatment on the request of the inmates of the house. The petitioner also accompanied with the dead body and when the driver of the vehicle came to know that the patient had already died, he stopped the vehicle and thereafter the dead

body was taken on an auto-rickshaw. The driver of the auto-rickshaw bearing registration no. BR 10T/9893, namely, Kailash Das also disclosed the fact that the relatives of the deceased took the deceased to the doctor but the doctor was not found, thereafter the dead body of the deceased was thrown in the river.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Sanokhar (Amdanda) P.S. Case No. 15/2015. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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