

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36221 of 2015

Arising Out of PS.Case No. -116 Year- 2015 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Tara Muni Devi Wife of Late Kabilash Singh
 2. Bhuneshwar Singh Son of Late Kabilash Singh
 3. Ranju Devi Wife of Akhileshwar Singh All resident of Village - Nawka Tola, Police Station - Bagaha, District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zainul Abedin

For the Opposite Party/s : Mr. Shailendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 03-11-2015 Heard both sides.

The petitioners, Tara Muni Devi, Bhuneshwar Singh and Ranju Devi, apprehend their arrest in a case under Section 498A, 304B, 494 of the Indian Penal Code.

The father of the deceased alleged that he married his daughter Sanju with Akhileshwar Singh knowing the fact that Akhileshwar Singh was married from before and he got children. Within one year of marriage of his daughter his daughter was killed. Elder sister of the informant, Mamta Devi, was also married in the same village near the house of Akhileshwar Singh. Mamta Devi informed about the death of Sanju. The informant

went there and saw that his daughter died due to poisoning.

Petitioner No.1, Tara Muni Devi, is mother-in-law of the deceased and petitioner No.2, Bhuneshwar Singh is her brother-in-law. Petitioner No.3, Ranju Devi, is first wife of Akhileshwar Singh and Sautan of the deceased.

It is submitted that petitioners Nos. 1 and 2 are mother-in-law and brother-in-law of the deceased and they have got no manner of concern with the family affairs of the deceased and her husband. It is submitted that the deceased was not happy with her marital life and that is why she herself consumed poison. Even during the course of investigation witness in paragraph 27 of the case diary stated that the deceased herself consumed poison.

Having considered the fact that petitioners Nos.1 and 2 are mother-in-law and brother-in-law of the deceased and no specific allegation is made against them, the above named petitioners No.1, Tara Muni Devi and 2. Bhuneshwar Singh, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bagaha, West Champaran in

Bagaha P.S. Case No. 116 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as case of petitioner No.3, Ranju Devi, is concerned, she is the first wife of Akhileshwar Singh and Sautan of the deceased and it has come that she had quarreled with the deceased.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner No.3, Ranju Devi, on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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