

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23603 of 2016

Arising Out of PS.Case No. -167 Year- 2014 Thana -LAHERIASARAI District- DARBHANGA

Laxami Devi Wife of Late Krishna Nandan Sahu

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. A.L.Pandit(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 01-08-2016 Heard learned counsels for the petitioner and the State.

Petitioner being sister of the husband of the victim is apprehending arrest in a case registered for the offences punishable under Sections 498A, 323/ 302/34 of the Indian Penal Code.

Prosecution case is that the informant's daughter Poonam Kumari was married with brother of the petitioner namely Baijnath Sah seven years prior lodging to the First Information Report. But after four years of marriage, Baijnath Sah, deserted the daughter of the informant and went to Mumbai. After sometime, he returned back and started residing



with victim Poonam Kumari. Since the victim was issueless, she was being assaulted and abused by the husband and other family members. In the night of 17.04.2014, the accused persons including the petitioner made assault to the daughter of the informant and thereafter took her to DMCH, where the victim succumbed to the injuries. The post-mortem of the victim reflects multiple injuries.

It is submitted by learned counsel for the petitioner that the petitioner has been roped in the present case simple because she happens to be the widow sister of the husband of the victim. The accusation is omnibus and general. Moreover, the husband of the victim is facing trial.

Learned APP for the State after going through the case diary submits that this petitioner has also participated in the assault. The post-mortem reflects multiple injuries.

Since, the case was registered on 25.04.2014 whereas the present application for anticipatory bail has been preferred on 25.05.2016, this Court is not inclined to consider the prayer for anticipatory bail.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Laheriasarai P.S. Case

No.167/2014, pending before the learned CJM, Darbhanga.

With the above observation, this application is,
accordingly, disposed off.

(Dinesh Kumar Singh, J)

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