

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42214 of 2015

Arising Out of PS.Case No. -196 Year- 2011 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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Savitri Devi Wife of Chanu Patel Resident of Village - Bhitaha Mathia,
P.S. Bairiya, District - West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr. Arun Kumar (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 03-02-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

Petitioner apprehends her arrest in connection with
Bairiya P.S. Case No. 196 of 2011 for the offence punishable
under Sections 302/34 of the Indian Penal Code.

As per the prosecution case, informant solemnized the
marriage of his sister, Mainka Devi with Dinesh Patel seven years
earlier according to Hindu customs and rituals. Informant gave
one she-buffalo to the accused persons as dowry, which the
accused persons wanted to sell, but on protest made by his sister,
Mainka Devi, she-buffalo could not be sold. On 07.11.2011 at
about 12 Noon, accused persons, namely, Dinesh Patel, Satish
Patel and wife of Satish Patel sprinkled kerosene oil on the body

of his sister and set her on fire. On the information given by the co-villagers of the accused persons, informant along with his family members came to the matrimonial home of his sister and brought her to M.J.K. Hospital, Bettiah for treatment where she succumbed to the injuries.

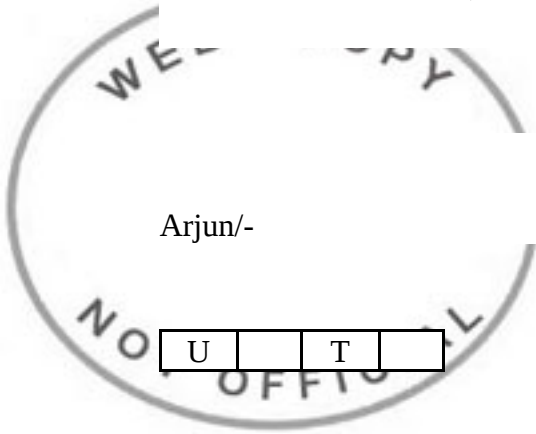
It has been submitted by the learned counsel for the petitioner that petitioner has no criminal antecedent and she is not named in the First information Report and only suspicion has been raised against her. She is an old lady.

On the other hand, learned A.P.P. has referred to various paragraphs of the case diary. Paragraph 3 is the dying declaration in which petitioner has been named by the victim. Supervision note, paragraph 39, also brings to the surface the complicity of the petitioner in the alleged offence. The post-mortem report, paragraph 2 of the supplementary case diary also indicates that the victim died due to burn injury.

It has been submitted by the counsel for the petitioner that the husband and cousin father-in-law of the victim have already been convicted in the present case. Even otherwise, the allegation against the petitioner is serious and investigation is still going on.

Under such circumstances, I am not inclined to grant

the privilege of anticipatory bail to the petitioner. This application is, accordingly, rejected.



Arjun/-

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(Nilu Agrawal, J.)