

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7436 of 2016

Arising Out of PS.Case No. -69 Year- 2015 Thana -JOGBANI District- ARRARIA

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Ahilya Devi, wife of Golak Nath Jha @ Golak Nath Jha, resident of Village
Bhedeshwar, Ward No.6, P.S. Jogbani (Bathnaha), District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarangdhar Jha, Advocate

For the Opposite Party/s : Mr. Sanjay Kr. Panday(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 11-05-2016 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with

Jogbani (Bathnaha) P.S. Case No. 69/15 for offences alleged

under Section 302/34 of the Indian Penal Code and under Section

3/4 of the Dowry Prohibition Act.

The prosecution case, as lodged by the informant,

is that on 24.07.2015 petitioner along with other family members

killed the daughter of the informant for demand of dowry.

It has been submitted by the learned counsel for

the petitioner that she is mother-in-law of the deceased Suman

Devi, is innocent, old and the allegation upon her is totally false.

However, learned APP for the State submits that

the independent witness at paragraph 18 of the case diary has also stated that the family members, the in-laws of the deceased quarreled with her for money. The police in its supervision note at paragraph 32 of the case diary have also found the case true and the post mortem report at paragraph 29 of the case diary states that the death was due to strangulation and there were bruises on the neck. It has further been submitted that the husband of the deceased also died six years back and the dispute was with regard to her deceased husband's pension and the block pension which she was receiving of her husband.

Under such circumstances, prayer for anticipatory bail made on behalf of the petitioner in connection with Jogbani (Bathnaha) P.S. Case No. 69/15, pending in the court of learned Chief Judicial Magistrate, Araria is rejected. However, if petitioner surrenders before the learned court below within a period of six weeks from today and apply for regular bail, the same will be considered on its own merit, preferably on the same day.

(Nilu Agrawal, J.)

Rajesh/-

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