

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18030 of 2016

Arising Out of PS.Case No. -244 Year- 2015 Thana -MAJHAHGARH District- GOPALGANJ

=====

Kailashi Devi Wife of Late Godhan Kushwaha @ Godhan Bhagat,
Resident of Village- Koini, P.S. - Manjhagarh, District - Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Indrajeet Bhushan, Advocate.

For the Opposite Party : Mr. Anil Kr.Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 21-09-2016 Heard both sides.

The petitioner apprehends her arrest in Manjhagarh P.S.
Case No. 244 of 2015 registered for the offences punishable under
Sections 304(B) and 34 of the Indian Penal Code.

The mother of the deceased alleged that she married her
daughter with Hiranman Kushwaha @ Hiranman Bhagat in the year 2011.
Her son-in-law is working in foreign country. She alleged that Jairam
Kushwaha, Harishankar Kushwaha, Rina Devi and mother-in-law
Kailashi Devi, the petitioner burnt her daughter to death.

Learned counsel for the petitioner submits that the
occurrence took place on the day of Diwali. The victim accidentally got
fire and died. Jai Ram Kushwaha @ Jai Ram Bhagat, the brother-in-law
of the deceased, has already been enlarged on bail vide order passed in
Cr. Misc. No. 12666 of 2016 on 24.06.2016. Rina Devi and Hari

Shankar Kushwaha, the brother-in-law and sister-in-law of the deceased have already been granted anticipatory bail vide order passed in Cr. Misc. No. 15190 of 2016 on 11.07.2016. Hiranman Kushwaha @ Hiranman Bhagat, the husband of the deceased has also been granted regular bail vide order passed in Cr. Misc. No. 22403 of 2016 on 12.07.2016. The petitioner is mother-in-law of the deceased. The deceased never complaint about ill-treatment at the hands of any of her in-laws during her lifetime but when the deceased died due to accidental fire, this false case has been lodged.

Considering the facts aforesaid and the fact that the petitioner is mother-in-law of the deceased, the petitioner above named, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is 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 Chief Judicial Magistrate, Gopalganj in Manjhagarh P.S. Case No. 244 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	
---	--	---	--