

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9677 of 2016

Arising Out of PS.Case No. -129 Year- 2015 Thana -BELHAR District- BANKA

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1. Basanti Devi Wife of late Chhabu Tanti
2. Soniya Devi @ Soni Devi Wife of Santosh Tanti
3. Puja Devi Wife of Kailash Tanti
4. Anita Devi wife of Ashok Tanti
All are Resident of Village-Basmata , P.S. Belhar, District Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Md. Sufiyan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 28-06-2016 Heard both sides.

The petitioners, four in number, apprehend their arrest under Section 302 and other sections of the Indian Penal Code.

The informant alleged that the petitioners and others assaulted his daughter-in-law Khushbu Devi while she was going for Polio vaccination of her 3 and ½ months old daughter. The child of Khushbu Devi died and Khushbu Devi was also injured. The informant further alleged that the occurrence took place only because Khushbu Devi had solemnized love marriage with the son of the informant and she had recently come to the house of the informant. The petitioners were annoyed with the love marriage of Khushbu Devi and, that is why, they assaulted her.

Sri Sanjay Kumar Jha, learned counsel for the petitioners, has submitted that the petitioners are ladies and they are not the assailants of Khushbu Devi or her daughter. In Para 50 of her statement, Khushbu Devi stated that Ashok Tanti assaulted

her and forcibly threw her daughter on the ground causing her death. The petitioners are alleged to have instigated Ashok Tanti. The supervising authority also found that the petitioners are not the assailants.

It appears that the wife of the informant saw the occurrence and she has very categorically stated that the petitioners and male members of the house of the petitioners assaulted Khushbu Devi and killed her daughter. A 3 and ½ months old child was killed only because of the marriage of Khushbu Devi having been solemnized with the son of the informant. Independent witnesses did not name the petitioners. It appears that it is a case of honour killing.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail in Belhar P.S. Case No. 129/2015. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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