

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15945 of 2016

Arising Out of PS.Case No. -964 Year- 2015 Thana -SITAMARHI District- SITAMARHI

Sita Devi, Wife of Hanuman Prasad Yadav, Resident of Village- Amana,
Police Station - Sursand, District - Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Vikramdeo Singh and
Mr. Ajay Kumar Verma, Advocates.

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 04-07-2016 Heard Sri Vikramdeo Singh, learned counsel for the
petitioner, learned A.P.P. as well as learned counsel appearing for
the informant.

The petitioner apprehends her arrest in Sitamarhi P.S.
Case No. 964/2015 registered under Sections 302/34 of the Indian
Penal Code and Section 27 of the Arms Act.

The informant is the step-mother of the petitioner.
The informant alleged that her husband was killed by three
unknown persons and the petitioner, who happens to be the
daughter of the husband of the informant, and the son-in-law of
her husband conspired in the killing of her husband.

Sri Vikramdeo Singh, learned counsel for the
petitioner, submits that admittedly the informant is not an eye-

witness of the occurrence but the FIR was lodged on the spot. The villagers, who disclosed the name of the petitioner during the course of investigation, are next door neighbours but they did not disclose about the occurrence to the informant but later on they narrated the entire story as to how the occurrence took place. This fact does not appear to be trustworthy.

On the other hand, learned A.P.P. as well as learned counsel appearing on behalf the informant opposed the prayer for anticipatory bail.

It appears that petitioner Sita Devi is the daughter of the deceased from his first wife and she also lives beside the house of the deceased. During the course of investigation, the persons residing in the vicinity of the place of occurrence disclosed that the petitioner and her husband hired some criminals and they caught Ram Vivek Rai, who identified the criminals; on such, the hired criminals made firing causing the death of Ram Vivek Rai.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Sitamarhi P.S. Case No. 964 of 2015. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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