

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56331 of 2015

Arising Out of PS.Case No. -70 Year- 2015 Thana -SANHOLA District- BHAGALPUR

=====

Bibi Kaili @ Murshida Khatoon, wife of Md. Israil, Resident of Village -
Asaraf Nagar Sakarama, P.S.- Sanhaulla, District - Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner	:	Mr. B.P. Pandey, Sr.Advocate
	:	Mr. Suresh Chand Giri, Advocate
For the S t a t e	:	Ms. Gulnar Begum(APP)
For the Informant	:	Mr. Manoj Kumar Jha, Advocate

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 05-05-2016 Heard learned counsel for the petitioner and the

learned counsel for the informant as well as the learned counsel

appearing on behalf of the State.

The petitioner is apprehending her arrest in connection
with Sanhaulla P.S. Case No.70 of 2015 for allegedly having
committed the offence under Sections 324, 326, 307, 498A and
379/34 of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act, pending in the court of the learned Chief
Judicial Magistrate, Bhagalpur.

Case diary in the present case was called for, which
has since been received.

Learned counsel for the petitioner submits that though
there is specific allegation against the petitioner, the actual

situation is that the girl had lit herself and committed suicide. It is further submitted that the petitioner is nowhere connected and F.I.R. in the present case is also delayed.

Learned counsel appearing on behalf of the informant, however, submits that there had been demand of dowry and the victim girl had stated specifically in her *Fard beyan* made in the hospital that her mother-in-law and the brother-in-law had participated in the occurrence and the mother-in-law had specifically instigated her Dewar to put her on fire.

However, considering all the facts and circumstances of the case and the post-mortem report revealing that the victim girl had got burnt to the extent of 70%, which finally led to her death on account of septicaemia having been caused on account of such burn injuries, I am not inclined to grant anticipatory bail to the petitioner. It is, accordingly, rejected.

However, if the petitioner surrenders in connection with the present case and prays for regular bail, it shall be open to the court below to consider her case on its own merits without being prejudiced by the present order.

(Anjana Mishra, J)

PNM

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