

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4367 of 2017

Arising Out of PS.Case No. -92 Year- 2014 Thana –RANI TALAB District- PATNA

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Hiramani Devi, wife of Shri Ramji Yadav, resident of Village-
Raghunathpur, Mathia, Police Station- Rani Talab, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parashuram Singh, Advocate.

For the Opposite Party/s : Smt. Indu Bala Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-04-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends her arrest in Rani Talab
P.S. Case No. 92 of 2014 instituted for the offence under Sections
304B, 201 and 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
she is mother-in-law of the deceased. There is no allegation of
specific overt act against her. The witnesses in the case diary
stated that at the time of occurrence, she had gone to work in the
field. It is mentioned in paragraph-3 that the petitioner has no
criminal antecedent.

As per written report, the sister of the informant was
married with Ram Chhavila Kumar @ Butai Yadav about four
years back. She was tortured for Rs.2,00,000/- and one kattha of



land. The informant got information on 3.11.2014 that the accused persons are taking away his sister after burning her towards their paddy field to dispose off. The informant with their family members reached there. The police personnel were also present. The sister of the informant weepingly stated that she was burnt by her sasural people. Thereafter, she was sent to Vikram Hospital from where she was referred to P.M.C.H. Patna, but on the way she died.

Case diary has been received.

Learned A.P.P. after looking into the case diary has submitted that although there is mention in the written report that the deceased weepingly told before her death that the accused persons have burnt her but, the statement of the victim girl is not available in the case diary. The witnesses in paragraphs 13, 14, 15 and 16 have stated that the petitioner was not present at the time of occurrence. She had gone to work in the field. The petitioner is mother-in-law of the deceased.

Learned counsel for the informant has appeared and opposed the prayer for anticipatory bail.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six



weeks from today, in connection with Rani Talab P.S. Case No. 92 of 2014, she shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Shri Kumar Madhuvendra, Judicial Magistrate, Danapur, Distt. Patna, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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