

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19726 of 2017

Arising Out of PS.Case No. -52 Year- 2016 Thana -PALANWA District-
EASTCHAMPARAN(MOTIHARI)

=====

Mohpatiya Devi, wife of Late Ganesh Sah, resident of village-Belawa, P.S.
Palanwa, District-East Champaran.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

=====

Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate.

For the State : Mr. Dashrath Mehta, A.P.P.

For the Informant : Mr. Dhanjay Kumar No.2, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 12-09-2017 Heard learned counsel for the petitioner and the learned A.P.P.
for the State as also the learned counsel for the informant.

The petitioner apprehends her arrest in connection with
Palanwa (Bhelahi O.P.) P.S. Case No.52 of 2016 registered under
Sections 302 and 120B/34 of the Indian Penal Code.

The accusation is that the petitioner, the Gotani of the
informant Most. Meena Devi, was widow, due to that reason, she
adopted Ramji Sah, the elder son of the informant, but, later on, the
petitioner developed illicit relation with Bindalal Prasad. As Ramji Sah
was not happy with such relation of the petitioner with Bindalal Prasad,
due to that reason, the petitioner with the help of Bindalal Prasad, under
conspiracy, with other four accused, named in the complaint petition,
committed the murder of Ramji Sah, the elder son of the informant



Most. Meena Devi by pressing his neck and hanged his dead body in a hut only to give colour of suicide by hanging.

Learned counsel for the petitioner submits that, in fact, the occurrence is of 04.03.2016 and, thereafter, on the basis of the information of the informant Most. Meena Devi, Palanwa (Bhelahi) U.D. Case No.01 of 2016 was instituted regarding homicidal death of her elder son Ramji Sah on 06.03.2016. Thereafter, the petitioner sold some part of her land in favour of Bindalal Prasad, due to that reason, the informant was not happy and lodged Complaint Case No.C-133 of 2016 on 31.05.2016, which is the basis of the present case.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender by her within six weeks from today, be enlarged on bail on her furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran, in connection with Palanwa (Bhelahi O.P.) P.S. Case No.52 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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

