

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27773 of 2016

Arising out of PS.Case No. -225 Year- 2015 Thana -ATHMALGOLA District- PATNA

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Geeta Devi wife of Uttam Rai R/o Village - Kalyanpur, P.S. - Athmalgola,
District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

9 10-02-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends her arrest in connection with
Athmalgola P.S. Case No. 225 of 2015 for offence registered
under Sections 304B and 120B/34 of the Indian Penal Code.

The allegation against the petitioner is that she being the
mother in law set fire on the body of the deceased after pouring
kerosene oil and this occurrence was done in connection with
demand of dowry and torture.

It is submitted on behalf of the petitioner that the victim
was married in the year 1999 and it was an accidental death and
she caught fire while preparing meal. Learned counsel also
submitted that the independent witnesses have supported the case
of accidental death.



Whereas, learned counsel appearing on behalf of the informant draws attention to paragraph-10 and 13 of the case diary. The informant while visited the burn hospital, the victim disclosed the manner of occurrence and participation of the petitioner.

Having considered the fact and circumstances, I do not find it a fit case for grant of anticipatory bail as the allegation is specific against her, so prayer of anticipatory bail is refused. However, if the petitioner may surrender and seek regular bail before the court below, the same shall be considered and disposed of on merit without being prejudiced by this order.

(Arun Kumar, J)

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