

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49177 of 2016

Arising Out of PS.Case No. -71 Year- 2016 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

Lalti Devi @ Lalita Devi W/o Chuman Giri, Resident of Village-
Panchkharawa, Police Station- Kalyanpur, District- East Champaran
(Motihari).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prem Prakash Arya, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 28-01-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending her arrest in connection with Kalyanpur P.S.Case No. 71 of 2016 registered for the offences punishable under Sections 498A, 304B and 120B of the Indian Penal Code.

It has been submitted on behalf of the petitioner that no specific allegation has been made against the petitioner, whereas the witnesses examined in course of investigation have stated that the deceased herself sprinkled kerosene oil on her and set on fire, which is evident from the case diary. It has also been submitted that at the time of occurrence the petitioner was not in her house and has gone to some other place.



Heard learned APP also.

Learned APP also submits that investigation of this case is still going on and the petitioner is mother-in-law of the deceased.

Having heard both sides and considering the aforesaid fact, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail is rejected.

However, the petitioner may surrender in the court below and make prayer for regular bail. Learned court below will examine the materials available in the case diary and pass an appropriate order without being prejudiced by the order of this Court, if possible, preferably on the same day the bail application is filed.

With the aforesaid observations, this application is disposed of.

(Vinod Kumar Sinha, J)

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