

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34522 of 2017

Arising Out of PS.Case No. -223 Year- 2016 Thana -LALGANJ District- VAISHALI (HAJIPUR)

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1. Janki Devi Wife of Thakuri Sahani Resident of Village- Bisanpur, P.S.
Lalganj, District- Vaishali. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 11-08-2017 Heard both sides.

The petitioner apprehends her arrest in Lalganj P.S.
case No. 223 of 2016 for the offences punishable under Section
302, 201/34 of the Indian Penal Code.

The informant alleged that his sister was married to
Ashok Sahni in the year 2002. His sister got three children but her
husband and other in-laws were subjecting her to physical and
mental torture. The informant made all efforts to pacify the matter.
On 07.09.2016 the father of the informant informed him about the
death of his sister and the informant came to know that the
accused persons poisoned his sister to death.

The learned counsel for the petitioner submits that
petitioner is mother-in-law of the deceased. The marriage was
solemnized 14 years ago. The deceased was living with her
husband and children. It is further submitted that the husband is in
jail. There is nothing on record to show that the petitioner



poisoned the deceased to death rather it has come during the course of investigation that on account of quarrel the deceased herself consumed poison.

The learned Additional Public Prosecutor, however, opposed the prayer for anticipatory bail and submitted that during the course of investigation many witnesses have stated that petitioner had quarrel with the deceased.

It appears that petitioner is mother-in-law of the deceased and the marriage was solemnized 14 years ago. During the course of investigation it has come that on account of some quarrel the deceased consumed poison.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner above named in the event of her arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Lalganj P.S. case No.223 of 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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