

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53504 of 2016

Arising Out of PS.Case No. -77 Year- 2016 Thana -BHELDI District- SARAN

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Chinta Devi, Wife of Late Chandrika Rai, Resident of Village- Paiga
Sadar, P.O.- Paiga, P.S.- Bheldi, District- Saran at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Krishna Pd. Singh, Sr. Advocate.
Mr. Udai Shankar Singh, Advocate.

For the Opposite Party : Mr. Binod Kumar, APP.

For the Informant : Mr. Sanjay Kumar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

11 23-06-2017 Heard both sides.

The petitioner apprehends his arrest in Bheldi P.S. Case
No. 77 of 2016 registered for the offences punishable under
Sections 302 and 34 of the Indian Penal Code.

The informant alleged that his sister was married to
Pawan Kumar Rai in the year 2002 but her husband used to assault
his sister after taking wine. The informant further alleged that his
sister gave birth to three children but on the date of occurrence i.e.
06.05.2016 Pawan Kumar Rai, Omprakash Kumar Rai and
mother-in-law Chinta Devi brutally assaulted his sister and killed
her.

Shri Krishna Prasad Singh, learned senior counsel for



the petitioner submits that the petitioner is mother-in-law of the deceased. The marriage was solemnized in the year 2002. After 14 years the deceased was killed by her husband who used to assault his wife, the deceased. The petitioner is mother-in-law of the deceased and she is living separately. It is further submitted that Nibha Kumari, the daughter of the deceased, signed on the fardbeyan of her maternal uncle but did not disclose about the story as an eye witness of the occurrence. Later on she was tutored and she made her statement in paragraph-13 of the case diary stating that the petitioner also assaulted her mother killing her on the spot.

On the other hand, learned APP vehemently opposed the prayer for anticipatory bail of the petitioner.

Perused the record, it appears that the informant named three persons Pawan Kumar Rai, Omprakash Kumar Rai, brother-in-law of the deceased and mother-in-law Chinta Devi, the petitioner that they assaulted and killed Mira Devi, the sister of the informant. During the course of investigation Nibha Kumari, the minor daughter of the deceased alleged that her father Pawan Kumar Rai, uncle Omprakash Kumar Rai and grand-mother Chinta Devi, the petitioner brutally assaulted her mother and consequently her mother died. Thee post-mortem report also



shows that there are as many as 13 injuries found on the body of the deceased.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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