

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37750 of 2018

Arising Out of PS. Case No.-227 Year-2017 Thana- BIKRAM District- Patna

Phulpathi Devi @ Phulpato Devi, W/o- Sri Kailashpati Chauhan, R/o Vill.-
Pakhanpura, P.S.- Bikram, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sangeeta Devi, W/o Late Ranjit Kumar , R/o Vill.- Pakhanpura, P.S.- Bikram,
District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surinder Kumar
For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-06-2018 Heard learned counsels for the petitioner and State.

The petitioner being the mother of the late husband of the informant is apprehending arrest in a case registered for the offences punishable under Section 498A of the IPC.

It is alleged by the informant Sangeeta Devi that she was married to late Ranjeet Kumar, twelve years prior the lodging of the present case and subsequently, she was blessed with two sons. On 29.02.2016, the husband of the informant died and thereafter the accused persons started inflicting torture upon her and they did not allow the informant to enjoy her share of property in the matrimonial house. It is also alleged that on



14.08.2017, the informant asked for her share from the accused persons, upon which she was assaulted and driven out along with her children from the matrimonial house. The accused persons also committed theft of Rs. 10,000/-, ornaments and other belonging of the informant.

It is submitted by learned counsel for the petitioner that basically the informant wants a partition of the family property of her in laws and with such ulterior motive, the present case has been lodged. The accusation against the petitioner is omnibus and general. The petitioner is ready to allow the informant to enjoy her share of property at the matrimonial place.

Considering the nature of accusation and the fact that the petitioner is a lady, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM-IV, Danapur, Patna in connection with Bikram P.S. Case No. 227 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on filing of an affidavit by the petitioner before the learned Court below that she will allow the informant



to enjoy her share of property in the matrimonial house.

(Dinesh Kumar Singh, J)

Amrendra/-

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

