

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43674 of 2018

Arising Out of PS. Case No.-49 Year-2015 Thana- CHIRAIYA District- East Champaran

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1. Meena Devi, D/o Shubh Narayan Das, W/o Arjun Das,
 2. Singhasani Devi @ Sinhasani Devi W/o Shubh Narayan Das,
Both Residents of Vill.- Semar Patakhauliya, P.S.- Chiraiya,
Disriect- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-07-2018 Heard learned Counsel for the petitioners and learned
APP for the State.

The petitioners, being the wife and mother-in-law of the informant are apprehending arrest in a case registered for the offences punishable under Sections 302,328,34 of the Indian Penal Code.

Initially, the prosecution case got initiated with filing of Complaint Case No.552/2014, which came to be registered as police case being Chiraiya P.S. Case No.49 of 2015 after its being transferred under Section 156(3) of the Code of Criminal Procedure. Prosecution case as per the complaint petition is to the effect that two and half years prior to lodging of the criminal case, the informant's wife petitioner no.1, Meena Devi is



residing at her parents house. The informant has filed a matrimonial suit for dissolution of marriage wherein it has been pleaded that petitioner no.1 is having illicit relationship with some other person and out of the said illicit relationship, a baby girl was born. The informant wanted to get the DNA of the child examined, but the accused persons have killed the two years old child under a conspiracy. The petitioner came to know this fact from witness no.2, Shankar Mukhiya on 22.07.2014 when the informant visited the village of accused persons.

It is submitted by learned counsel for the petitioners that the accusation is based only on suspicion. In fact, the two years old child died due to high fever. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by Mr. J. N. Thakur, learned APP for the State there is specific accusation against the petitioners in the FIR.

Considering the nature of accusation based merely on suspicion and the petitioners, being ladies having no criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on



furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, Sikrahana, Dhaka, East Champaran, in connection with Chiraiya P.S. Case No.49 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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