

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2825 of 2018

Arising Out of PS.Case No. -200 Year- 2017 Thana -KHARIK District- BHAGALPUR

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Kabli Devi wife of late Ghanshyam Mandal Resident of Village -
Usmanpur, P.S. - Kharik, District - Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Sri Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 12-02-2018

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in relation to Kharik P.S. Case No. 200 of 2017 registered under Sections 304(B), 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that this petitioner is the mother-in-law, she is a widow and has no control over the husband of the deceased, therefore her implication in the present case is baseless.

Learned counsel for the State submits that in fact one Guddu Mandal and deceased a mother of one son from her first husband had allegedly married, in



connection with that he was in jail custody, this petitioner was handed over the custody of the deceased and therefore, it cannot be said that she had no concern with her son Guddu Mandal. The marriage had taken place in the year 2016, and there were allegations against the Guddu Mandal in connection with for which he was in jail.

Considering the facts and circumstances under which the alleged marriage had taken place then this petitioner was handed over the custody of the victim lady after her statement under Section 164 Cr.P.C. but thereafter as per the F.I.R. itself when Guddu Mandal came out of jail custody the victim lady had been residing with him and her son which she had from the wedlock with one Chhitan Mandal, in view of the assertion in the F.I.R. itself that after Guddu Mandal came out of the jail custody the victim lady had been residing with him and her son and not with this petitioner and the petitioner is a widow, in the event of her arrest/surrender before the court below within four weeks, let the above named petitioner, namely, Kabli Devi, be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand only) with two sureties of the like amount each to the satisfaction of learned Additional



Chief Judicial Magistrate – 2nd, Naugachia, District –
Bhagalpur, in connection with Kharik P.S. Case No. 200 of
2017, subject to condition laid down under Section 438 (2)
of the Code of Criminal Procedure.

Rajeev/-

(Rajeev Ranjan Prasad, J.)

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