

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49876 of 2018

Arising Out of PS. Case No.-64 Year-2018 Thana- MAHNAR District- Vaishali

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Rubi Devi Wife of Vinod Pandit Resident of Village- Hansikewal, P.S.
Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sunita Devi Wife of Bhramdev Pandit Resident of Village- Bidhupur,
Ramdauli, P.S. Bidhupur, Distt. Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in a case
registered under Sections 304B, 201 read with Section-34 of the
Indian Penal Code.

The allegation against the petitioner is of torturing and
causing the death of the deceased due to non-fulfillment of
demand of dowry.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent and there is no
allegation of tampering of witnesses alleged against the
petitioner. The petitioner has been falsely implicated in the
present case. The petitioner is the married Nanad of the



deceased. She is separate in mess and property from husband of the deceased. She has no concern with the alleged occurrence.

On behalf of the State and the counsel for the informant, it is submitted that the petitioner is named in the F.I.R. On the alleged date of occurrence, the husband of the deceased was not present. The witnesses in the case diary have alleged that the deceased has been done to death by sprinkling acid on her. The said fact finds support from the postmortem report and the cause of death is said to be asphyxia from inhalation of fumes from corrosive liquid (acid) and due to generalised burn and shock caused by corrosive liquid. Burn injuries were also found on the body of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail of the petitioner in connection with Mahnar P.S. Case No. 64 of 2018 is rejected.

If the petitioner surrenders in the court below and seek regular bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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