

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60373 of 2018

Arising Out of PS. Case No.-62 Year-2018 Thana- LAUKARIA District- West Champaran

Maya Devi, Wife of Dasrath Ram, Resident of Village- Nayago, P.S.-
Lauriya, Dist.- West Champaran.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate.
For the Opposite Party : Mr. Pawan Kumar Chaurasiya, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-12-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending her arrest in a case for
the offence registered under Sections 302 and 304(B)/34 of the
IPC.

The prosecution story, in brief, is that on 15.06.2018
at about 8.00 A.M. the informant was informed on phone by the
villagers of in-laws her daughter, namely, Bhagmani Devi that
her daughter was admitted in a private Hospital at Bagaha due
to burn injury by her in-laws. She alongwith her family
members went there and found her daughter in injured condition
due to burn injury. The informant has further stated that 5-6
days ago, her daughter Bhagmani Devi (deceased) had told the
informant that her husband, co-accused Sunil Ram was



demanding Rs. 1,00,000/- and one Motorcycle as dowry and for this, he had also assaulted her causing injury. Her father-in-law Dashrath Ram, mother-in-law Maya Devi and Nanad Sima Devi also assaulted her with fists and slaps causing injury. Her father-in-law Dashrath Ram and mother-in-law Maya Devi poured Kerosene Oil upon her and thereafter her Nanad Sima Devi set fire upon her whole body. The informant took her daughter in injured condition from Bagaha and admitted in M.J.K. Hospital, Bettiah where she died in course of treatment on 16.06.2018 at 19.00 hours.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is mother-in-law of the deceased. She is separate in mess and property from the husband of the deceased. The witnesses in paragraph nos. 33, 34 and 57 of the case diary had categorically stated that the deceased had committed suicide. It is not a case for offence under Section 304(B) of the IPC. The husband of the deceased is in custody.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.



Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-Ist, Bagaha, West Champaran, in connection with Laukariya P.S. Case No. 62 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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