

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55957 of 2017

Arising Out of PS.Case No. -68 Year- 2016 Thana -KANTI District- MUZAFFARPUR

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1. Shakila Khatoon W/o Md. Shamsuddin Resident of Village- Kaparpura,
P.S. Kanti, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pradeep Kumar Sinha

For the Opposite Party/s : Mr. Sri Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 03-01-2018

Heard both sides.

The petitioner apprehends her arrest in Kanti P.S. case No. 68 of 2016 for the offences punishable under Section 304B/34 of the Indian Penal Code.

The prayer of petitioner for anticipatory bail was earlier rejected by this court vide order dated 28.10.2016 passed in Cr. Misc. No. 39698 of 2016.

The learned counsel for the petitioner submits that petitioner again filed this petition for grant of anticipatory bail on the ground that during the course of trial of Sessions Trial No. 39 of 2017 one prosecution witness was examined but he did not support the prosecution case. It is further submitted that husband of the deceased filed Matrimonial case No. 272 of 2013 for restitution of conjugal rights and the learned Principal Judge, Family Court, Muzaffarpur decreed the suit. The wife/ deceased went to the house of her in-laws but she committed suicide by consuming poison. It is further submitted that one Dr. Raja Imam



Kazmi treated the deceased and found that the deceased had taken poison eight months ago. The deceased had tendency of committing suicide. The petitioner is mother-in-law of the deceased but from perusal of the records, it appears that the deceased was married to Md. Nazir in the year 2010 but immediately after marriage her husband, father-in-law, and mother-in-law, the petitioner, started subjecting the deceased to different sorts of torture. The deceased filed complaint case in Civil Court, Vaishali. The accused persons compromised the criminal case and took the deceased to their house but only ten days thereafter the deceased was killed and her dead body was disposed of. The prayer of petitioner for anticipatory bail was rejected on 28.10.2016 but even then the petitioner has not surrendered in the court for more than one year and filed this petition for grant of anticipatory bail.

I do not find any new ground to reconsider the prayer of petitioner for anticipatory bail and the same is once again rejected.

(Prabhat Kumar Jha, J)

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