

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.405 of 2018

Arising Out of PS.Case No. -70 Year- 2015 Thana -VALMIKINAGAR District-
WESTCHAMPARAN(BETTIAH)

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Rambha Devi, W/o Jhagaru Ram, Resident of Village-Bhedihari P.S.-
Valmikinagar, District-West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vijay Kr Singh No. 1, Advocate.

For the State : Mr. Anil Prasad Singh, A.P.P.

For the Informant : Mr. Milind Kumar Mishra, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-02-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner is languishing in custody since
12.06.2017 in a case for the offence registered under Sections
498(A), 326 and 304(B)/34 of the IPC.

The prosecution story, in brief, is that the daughter of
the informant, namely, Tetri @ Amita Kumari, was married with
Om Prakash on 01.06.2015. The father of Om Prakash demanded
huge dowry which was not fulfilled, thereafter, all accused persons
started torturing. When the informant did not fulfill their demand
then accused persons killed his daughter. On 15.10.2015 at about
7.00 A.M. he got information that his newly wedded daughter was



killed by the accused persons and her dead body was thrown inside the Sugarcane field. On the basis of written petition, the instant case has been registered.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to mistake of fact. The petitioner is mother-in-law of the deceased. There is no specific allegation against the petitioner nor there is any eye witness to the alleged occurrence. General and omnibus allegation has been made against the petitioner.

On behalf of the learned counsels for the State and the informant, it has been 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 in the house. He had gone to Punjab to earn his bread and butter. It was this petitioner and her husband who committed the alleged offence. In course of investigation, number of witnesses in paragraph nos. 29, 32, 33, 51 and 52 of the case diary have supported the allegations made in the F.I.R. It has further been submitted that the bail application of the husband of this petitioner has also been rejected by another Co-ordinate



Bench of this Court vide Cr. Misc. No. 2077 of 2016 dated 05.04.2016.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Valmikinagar P.S. Case No. 70 of 2015, pending in the court of learned A.C.J.M. Bagaha, West Champaran.

Anyhow, learned court below is directed to take all necessary steps to expedite the trial.

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(Sudhir Singh, J)

