

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52750 of 2018

Arising Out of PS.Case No. -48 Year- 2018 Thana -ATHMALGOLA District- PATNA

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1. Anjali Devi W/o Bishwa Nath Rai, R/o Vill.- Nayatola Sabnima, P.S.-
Athmalgola, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Prasad, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 18-09-2018 Heard learned counsel for the petitioner as well as

learned APP.

Deceased was taken away by Binod Rai to the place
of Vishawanath Rai where he was murdered. From the inquest
report, it is apparent that the dead body was recovered from the
place of petitioner. Postmortem discloses presence of so many
ante-mortem injuries.

It has been submitted on behalf of learned counsel
for the petitioner that she happens to be a female member of the
family. The house is occupied by her husband and two sons who
are also an accused of this case and in the aforesaid background
there happens to be joint liability. None is an eyewitness to the
occurrence. In the aforesaid background, mere recovery of dead
body will not cast any kind of obligation upon her and so, she be



allowed bail.

In an alternative, it has also been submitted that there happens to be whisper at the end of prosecution witnesses that petitioner was carrying some sort of extra marital affair with the deceased, then in that event, there was no occasion for her to commit murder. In any view of the matter, being a lady, petitioner has got some sort of privilege whereunder, she should be released on bail.

On the other hand, learned APP opposed the prayer for bail.

Perceiving the circumstances visualizing from the case diary, prayer for bail is rejected.

(Aditya Kumar Trivedi, J)

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