

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53350 of 2018

Arising Out of PS. Case No.-463 Year-2017 Thana- GHORASAHAN District- East
Champaran

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Akali Devi, W/o Chathu Sah, R/o Vill.- Gurmiya Pachiyar Tola, P.S.-
Ghorasahan, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate.
For the Opposite Party : Mr. Arbind Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-11-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending her arrest in a case for
the offence registered under Sections 302 and 201 of the IPC.

The prosecution story, in brief, is that the informant's
daughter, namely, Babita Devi was married to one Raj Kumar
Sah in accordance with Hindu rites and rituals about 5-6 years
ago. Thereafter, she gave birth of two sons. On 13.09.2017, his
brother-in-law (Sala), namely, Sona Lal Sah, informed him
through phone that his daughter Babita Devi was not present in
the house. Thereafter, he went to the house of his daughter and
saw that his daughter was not present in the house and her both
sons were present in the house and they were crying. He came



to know through nearby people that his daughter's father-in-law, namely, Chhatu Sah and mother-in-law, namely Akli Devi (petitioner) killed her daughter and disappeared her dead body. His son-in-law was not present in the house. He was working in Delhi and he was innocent.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is a lady. There is no eye witness to the alleged occurrence. The petitioner is said to be mother-in-law of the deceased.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The husband of the deceased has not been made accused in the present case. On disclosure made by this petitioner, dead body of the deceased was recovered.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in connection with Ghorasahan P.S. Case No. 463 of 2017, pending in the court of learned S.D.J.M. Sikrahana at Dhaka, East Champaran.



Anyhow, if the petitioner surrenders and prays for regular bail in the learned court below, the same shall be considered on its own merit without being prejudiced by this order of the Court.

(Sudhir Singh, J)

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