

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2276 of 2019

Arising Out of PS. Case No.-166 Year-2018 Thana- TELHARA District- Nalanda

Lalita Devi aged about 36 years, Gender- Female, Wfie of Shyam Chaudhary
@ Shyamdev Chaudhari, Resident of village Mandacch, Police station
Telhara, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash
For the Opposite Party/s : Mr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-02-2019 Heard learned Counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 147, 302, 201, 504
and 506 of the Indian Penal Code.

The prosecution case as per the written report of Binod
Choudhary submitted to SHO, Telhara Police Station is to the
effect that the informant's sister Sanju Devi was married with
Ajay Choudhary in the year 2005, subsequently they were
blessed with two children, a daughter and a son. A few days
earlier it was communicated by the victim to the informant that
her husband is having illicit relationship with one Rekha Devi,
on protest being made, she was being tortured and assaulted. It
is further alleged that on 15.10.2018, the informant received the



information that on 11.10.2018, all the FIR named persons including the petitioner has killed the sister of the informant. When the informant reached to the in-laws house of the victim, he was abused and assaulted and life threat was given to him. It is further alleged that dead body of the victim has been disposed of without any information.

It is submitted by learned counsel for the petitioner that the petitioner is brother's wife of the husband of the victim. There is no specific accusation against the petitioner in the FIR and there is also no eye witness to the occurrence. However, impugned order of the learned Sessions Judge suggests that the victim's husband has illicit relationship with one Rekha Devi, but it further appears that the impugned order does not suggest any direct evidence against the petitioner. It further appears that dead body of the victim has been recovered kept in three bags in pieces.

It is submitted by learned APP for the State that the petitioner is named in the FIR.

Considering the fact that thrust of accusation is against the husband of the victim and during investigation, no statement of any eye witness of the said occurrence has been recorded, coupled with statement made in paragraph no.3 of the



petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **ACJM, Hilsa, Nalanda** in connection with **Telhara P.S. Case No. 166 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

U		T	
---	--	---	--

