

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8618 of 2019**

Arising Out of PS. Case No.-899 Year-2018 Thana- BIHTA District- Patna

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RENU DEVI Wife of Sri Umashankar Prasad Resident of Shiv Shakti Nagar ,
P.S- Bihta

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mr.Nilesh Kumar, Adv.
For the Opposite Party/s : Mr.Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 25-04-2019 This application, for grant of anticipatory bail, arises out of

Bihta P.S. Case No. 899/18, disclosing offences under Sections

302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is that on her
instruction her husband fired on the deceased causing his death
and husband of petitioner also fired on the informant but she
managed to escape herself and it appears that petitioner is accused
in five other cases.

Submission of learned counsel for the petitioner is that
there is property dispute between the parties and the petitioner has
been made accused in this case only because, she happens to be
wife of the co-accused against whom, there is allegation of firing
causing death of husband of the deceased and so far criminal
antecedent is concerned, all the cases has been lodged by the



informant side.

Learned counsel for the State opposed the prayer for bail on the ground that there is specific allegation against the petitioner that she instigated her husband to fire upon the husband of the informant, on which, he fired causing death of husband of the informant.

Having heard both sides, considering the facts and circumstances of the case and the nature of accusation, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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