IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17684 of 2019

Arising Out of PS. Case No.-211 Year-2018 Thana- DULHIN BAZAR District- Patna

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KIMA DEVI Wife of Ajeet Kumar, Daughter of Baleshwar Prasad, Resident of Village- Bhalua, Police Station- Dulhin Bazar, District- Patna.

... ... Petitioner

Versus

The State of Bihar ... ... Opposite Party

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Appearance :
For the Petitioner/s : Mr.Ashok Kumar
For the Opposite Party/s : Mr.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 27-03-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Dulhin Bazar P.S. Case No. 211 of 2018 for the offence under Sections 342, 324, 326 and 307/34 and Section 304(B), which was added later on, of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The victim, who subsequently died, in her *fard beyan,* which is the basis for the registration of the First Information Report, has clearly stated that the petitioner had poured kerosene oil on the body of the victim, whereafter husband of the deceased had lit the matches, leading to serious burn injuries.

Learned counsel appearing on behalf of the petitioner has attempted to persuade this Court that since mother-in-law of the deceased has been granted anticipatory bail, the petitioner

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should also be given the same treatment. The said order of this Court dated 21.12.2018 passed in Cr. Misc. No. 75216 of 2018 has been brought on record by way of Annexure-2 to this application.

However, considering direct allegation against the petitioner, I do not feel persuaded. This application is thus rejected.

The petitioner is, however, directed to surrender before the Court below within a period of four weeks from today and seek regular bail, if so advised. If she does so, her application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J)

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