

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17734 of 2019

Arising Out of PS. Case No.-845 Year-2018 Thana- PHULWARISHARIF District- Patna

SITA DEVI Wife of Sri Rajesh Paswan @ Rajeshwar Paswan Resident of
Mohalla - Kanhaiya Nagar, P.S.- Phulwarisarif, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilesh Kumar

For the Opposite Party/s : Mr.Umanath Mishra

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

5 15-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends her arrest in connection
with Phulwarisharif P.S. Case No.845 of 2018 registered under
Sections 304(B)/34 of the Indian Penal Code.

The accusation is that before three years, Alvi Khan,
the daughter of the informant Sarvari Khatoon, was kidnapped
by Aryan, who, thereafter, performed his marriage with her.
After that, due to their wedlock, they were blessed with a female
issue and Alvi started to visit to her house and she used to ask
the informant about torturing meted out to her at the hands of
her in-laws and causing assault by her husband Aryan, saying
that her husband Aryan used to make demand of Rs.3,00,000/-



in dowry. On 12.10.2018, at about 02.00 P.M., Aryan informed the informant about the illness of her daughter, saying that she is admitted at H.P. Hospital Anisabad. Thereafter, again Aryan informed the informant that her daughter is admitted at P.M.C.H. When the informant was to proceed for P.M.C.H., the informant again received information that her daughter is at Baansghat. Thereafter, when Hina Ahmad and Iqbal Ahmad, another daughter and son-in-law of the informant, reached at Baansghat, then they saw the dead body of Alvi Khan and her in-laws were to cremate her dead body. Thereafter, on information, police reached there and they took the dead body of Alvi to the P.M.C.H.

Learned counsel for the petitioner submits that the petitioner is the mother-in-law of the deceased, the daughter of the informant. In fact, Alvi, the daughter of the informant, and Aryan had performed the love marriage and both were residing separately but, after the death of Alvi, the petitioner has falsely been implicated in this case. Moreover, Aryan, the husband of the deceased, is already in custody since 15.10.2018. The petitioner, who is lady, has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of her



arrest or surrender by her within six weeks from today, be enlarged on bail on her furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-XV, Patna, in connection with Phulwarisharif P.S. Case No.845 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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