

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.305 of 2019

Arising Out of PS. Case No.-38 Year-2018 Thana- TISIAUTA District- Vaishali

Shail Devi, Wife of Damodar Ray, Resident of village - Hussainpur, Police
Station - Tisiauta in the Distt.- Vaishali

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr. Bharat Lal

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

ORAL ORDER

6 06-05-2019 Heard learned counsel appearing on behalf of the

petitioner, learned counsel appearing on behalf of the informant

and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Tisiauta P.S. Case no. 38 of 2018, registered under Section
304(B), 201/34 of the Indian Penal Code.

The accusation is of killing of the niece of the
informant due to non-fulfillment of demand of four wheeler
and to burn dead body behind the house.

Learned counsel for the petitioner submits that,
admittedly, the petitioner is the mother-in-law of the deceased,
but she used to reside separate to Rajiv Kumar Rai, husband of
the deceased. In paragraph-11, witness Dev Narayan has stated
that petitioner used to reside separate from the husband of the



deceased and he has also stated that, generally, Rajiv Kumar Rai and his wife, niece of the informant, used to quarrel with each other and due to that reason, she committed suicide.

On the other hand, learned counsel appearing on behalf of the informant submits that it would appear from the F.I.R. that after killing of the niece of the informant, her dead body was being burnt behind the house of the F.I.R. named persons, including the petitioner.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of four 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 Addl. Chief Judicial Magistrate-IX, Vaishali at Hajipur in connection with Tisiauta P.S. Case No. 38 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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