

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24570 of 2019

Arising Out of PS. Case No.-280 Year-2018 Thana- BIBHUTIPUR District- Samastipur

VIBHA DEVI W/O Sri Rambadan Paswan, Resident of Mohalla, Deshari
Ward No.-14 URF Sahjahanpur, P.S. Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Basant Kumar Singh

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 20-09-2019

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest for the offences
alleged under Sections 304(B),/34 of the Indian Penal Code
registered in connection with Bibhutipur P.S. Case No. 280/2018.

3. It is submitted that the petitioner has been falsely
implicated merely because she happens to be the mother-in-law of
the deceased. No specific overt act has been alleged against the
petitioner and the accusations are general and omnibus in nature. It
is further submitted that the petitioner was living separately from
the deceased and her husband and has no concern with their day-to-
day matters. The husband of the deceased was suffering from mental
illness by reason of which the deceased committed suicide by setting
fire to herself. The husband of the deceased is in judicial custody. The
petitioner is a lady claiming clean antecedents.

4. Learned APP invites reference to the post mortem
report in the case diary, according to which the deceased suffered
from 100% burn injuries. The witnesses consistently supported the
prosecution case with regard to demand of dowry and the offence
committed by the accused persons.

5. Having regard to the nature of accusations and gravity of



offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

6. If the petitioner surrenders and seeks regular bail before the learned Court below the same shall be considered on its own merit in accordance with law and without being prejudiced by any observation in the present order.

(Vikash Jain, J)

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