

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27328 of 2019

Arising Out of PS. Case No.-318 Year-2018 Thana- GHOSI District- Jehanabad

1. Fulla Devi @ Fulwa Devi @ Ful Devi Wife of Kishori Yadav, Resident of Village-Gyan Bigha @ Gyen Bigha, Police Station-Ghosi in the district of Jehanabad.
2. Binod Yadav Son of Late Paras Yadav, Resident of Village-Bineka Pali, Police Station-Dhanarua in the district of Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate
For the Opposite Party/s : Mr.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 18-07-2019 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners have filed the instant application for anticipatory bail apprehending their arrest in connection with Ghosi(Okari) P.S. Case No. 318 of 2018 registered for the offence under sections 304B, 201 and 34 of the Indian Penal Code.

The petitioners are the mother-in-law and brother-in-law (Nandosi) of the deceased. The allegations as per the F.I.R. is that the informant received information on mobile phone that his daughter had been killed by her in-laws and the accused persons were attempting to dispose of her body. It is alleged that



on reaching there, smell of kerosene oil was coming from the half burnt body of his daughter. It is alleged that she had been killed due to his not meeting the demand of dowry, after beating and torturing her.

The case diary was called for by order dated 25.04.2019 and the same has been received.

It is submitted by learned counsel for the petitioners that the petitioners are the mother-in-law and brother-in-law (Nandosi) of the deceased. The petitioner no. 1 resides separately in a separate house whereas the petitioner no. 2 is a resident of another village. They had no role either in the alleged murder or in the cremation of the body. In fact the cremation of the deceased took place in presence of her father.

Having heard learned counsel for the parties and taking into consideration the fact that in course of investigation it has transpired that the petitioner no. 2 along with others were seen taking hurried steps for disposal of the body of the deceased as also in view of the nature of allegations, the court is not inclined to enlarge the petitioner no 2 on bail. Accordingly, his prayer for bail is rejected. He is directed to surrender in the court below within a period of six weeks.

Taking into consideration the allegation in the FIR



together with the material that has transpired in the case diary, the Court is inclined to enlarge the petitioner no. 1 on bail. The petitioner no.1, in the event of her arrest or surrender in the court below within a period of six weeks from today in connection with Ghosi (Okari) P.S. Case No. 318 of 2018 is directed to be enlarged on bail on furnishing bail bond of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-cum-Sub-Judge-1, Jehanabad subject to the conditions as laid down in Section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

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