

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26771 of 2019

Arising Out of PS. Case No.-20 Year-2019 Thana- SANDESH District- Bhojpur

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1. BASDEO THAKUR Son of Late Sheo Bhajan Thakur Resident of Village - Sandesh, P.S.- Sandesh, District - Bhojpur.
 2. Prabhu Devi Wife of Basdeo Thakur Resident of Village - Sandesh, P.S.- Sandesh, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Singh

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 27-08-2019 In view of the submission of learned counsel for the petitioner that during pendency of the present application, the petitioner no. 1 has been arrested, this application so far petitioner no. 1 is concerned is dismissed as withdrawn.

So far petitioner no. 2 is concerned, she is apprehending her arrest in connection with Sandesh P.S. Case No. 20 of 2019, disclosing offences under Sections 498(A), 342, 307 and 34 of the Indian Penal Code.

Prosecution case is that accused persons including petitioner, who happens to be mother in law of the informant that they took the informant to the cremation ground, while she was in unconscious condition and tried to set her on fire by



keeping her on pyre, however, the informant regained consciousness and saved her life.

Submission of learned counsel for the petitioner is that she is mother in law and has falsely been made accused in this case and no specific allegation has been attributed to her.

Learned counsel for State opposed the prayer for bail and submitted that the informant fell ill and, thereafter, she was taken for cremation in order to dispose of her body but she regained consciousness and managed to flee away and there is also allegation against this petitioner that on her instance other accused persons used to assault her.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner may surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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