

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39117 of 2019

Arising Out of PS. Case No.-213 Year-2018 Thana- PATEPUR District- Vaishali

SARADA DEVI Wife of Ajay Ram Resident of Village- Naubachak, P.S.-
Patepur, District- Vaishali, at present Village- Tekanari Purvi Tola, P.S.-
Patepur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-07-2019 Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in **Patepur P.S. Case No. 213 of 2018**, instituted for the offence under Section(s) 302, 201 and 34 of Indian Penal Code.

Counsel for the petitioner submits that petitioner is 1st wife of the deceased.

In the written report it is alleged that younger sister of the informant namely, Priyanka Devi was married with Ajay Ram and from their wedlock a male child was born. Ajay Ram has first wife also namely Sarda Devi (petitioner) due to which they were quarrelling even on little issue and used to threaten his sister to kill her. On 10.12.2018 at about 8:00 p.m. brother-



in-law of the informant namely, Ajay Ram along with some unknown persons went for 'Bhut Jharwane' of his sister (since deceased) but they did not return. On 12.12.2018 the informant was informed that dead body of his sister was lying in field at Patrapur under Bariyarpur O.P. It is further alleged that sister of the informant was killed by Ajay Ram, his first wife Sarda Devi (petitioner) and some unknown persons.

Counsel for the petitioner submits that petitioner has been totally disowned by Ajay Ram. She was married with him in the year 2001 and five children were born from their wedlock. Ajay Ram was not taken care of her. She was assaulted by him with *Hasua* and ousted from her matrimonial house for which she filed Patepur P.S. Case No. 189 of 2014 for the offence under Sections 498A, 494/34 of the Indian Penal Code against her husband Ajay Ram, father-in-law Paltan Ram, Priyanka Devi (petitioner), informant and his wife Mina Devi. Petitioner is living in her *Maike*. She is unable to maintain herself and her children. She has filed Maintenance Case No. 241 of 2014 against her husband Ajay Ram in the Court of Principal Judge, Family Court, Vaishali, which was allowed.

Petitioner is in custody since 30.3.2019 having clean antecedent.



Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate, Xth, Vaishali at Hajipur**, in connection with **Patepur P.S. Case No. 213 of 2018**, subject to the condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

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