

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69448 of 2018

Arising Out of PS. Case No.-117 Year-2018 Thana- CHAUTHAM District- Khagaria

Rekha Devi, Wife of Ratan Singh, Resident of Village- Launga, P.S.- Paura,
District- Khagaria at present residing at Tegachhi Punarwas, P.S.- Chautham,
District- Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Sri Shailendra Kumar -1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 15-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in a case
registered for the offences punishable under Sections 302 and
120B/34 of the Indian Penal Code.

The prosecution case as per the written report of
Siromani Devi submitted to the Station House Officer of
Chautham Police Station is to the effect that the marriage of the
daughter of the informant was performed 14 years prior to the
lodging of the FIR with Laddu Gopal. It is alleged that on
17.06.2018 at 2.30 P.M., the informant received information that
the daughter of the informant was residing with her father-in-
law in village and she died due to the assault, then the informant
went to her daughter's in-law house where she found the dead



body of her daughter. Subsequently, the informant came to know that the daughter of the informant was assaulted by co-accused Himanshu Kumar with the blunt portion of spade on the order of this petitioner.

It is submitted by learned counsel for the petitioner that in the background of dispute with regard to construction of safety tank co-accused Himanshu Kumar, who is the son of the petitioner, assaulted the daughter of the informant with the blunt portion of spade. It is further submitted that during investigation, the witnesses have stated that the assault was made by co-accused Himanshu Kumar and petitioner is the sister-in-law of the victim but there is no specific accusation of assault against the petitioner. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the witnesses during investigation have suggested that the actual assault was made by co-accused Himanshu Kumar on the order of this petitioner.

Considering the thrust of accusation against co-accused Himanshu Kumar and petitioner being a lady, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above



named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Khagaria in connection with Chautham P.S. Case No. 117 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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