

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48354 of 2019**

Arising Out of PS. Case No.-262 Year-2016 Thana- BUXAR MUFFSIL District- Buxar

CHANDANI MISHRA Wife of Late Manish Mishra Resident of Village-
Tirpurwa, P.S.-Sikraur, District-Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gauri Shankar Prasad

For the Opposite Party/s : Mr.Ram Sevak Choudhary

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

3 01-10-2019 Heard both sides.

The petitioner apprehends her arrest in Buxar P.S.
Case No.262 of 2016 registered under Sections 302 and 34 of
the Indian Penal Code.

The Choukidar lodged the case against unknown after
recovery of dead body. Later on, it transpired during the course
of investigation that the deceased was the husband of the
petitioner.

The learned counsel for the petitioner submits that
petitioner is of course the wife of the deceased but there appears
no material to show that the petitioner had any hand in the
killing of her husband, Manish Mishra. It is further submitted
that investigating officer filed petition before the C.J.M. for
issuance of warrant of arrest against the petitioner and on



25.03.2019, the C.J.M. ordered to issue warrant of arrest against the petitioner but immediately thereafter the petitioner filed petition for grant of anticipatory bail but it appears that deceased was living with the petitioner but the husband of the petitioner was killed and her dead body was thrown in the Canal. The petitioner did not inform anybody about the missing of her husband. During the course of investigation, it has come that the petitioner had illicit relation with one Chhotu Mishra @ Pawan Mishra and strong suspicion is raised that it was petitioner who got her husband killed by Pawan Mishra @ Chhotu Mishra. The investigating officer tried to contact with the petitioner for interrogation but the petitioner is absconding. The process under Sections 82 and 83 has already been issued against the petitioner.

Once the process under Sections 82 and 83 has been issued against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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