

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51731 of 2019

Arising Out of PS. Case No.-142 Year-2019 Thana- RAJPUR District- Buxar

ARTI DEVI Wife of Late Sunil Singh Resident of Village - Kochadi, P.S.-
Rajpur, District - Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Roy

For the Opposite Party/s : Mr.Amitesh Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 20-08-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends her arrest in connection
with Rajpur P.S. Case No.142 of 2019 registered under Sections
304(B)/34 of the Indian Penal Code.

The accusation is that the marriage of Sima Devi, the
daughter of the informant Guput Chauhan, was performed with
G.K. Lal Chauhan. Thereafter, the daughter of the informant
was being tortured for non-fulfillment of the dowry demand of
cash Rs.50,000/- by her husband. In the meantime, G.K. Lal
Chauhan, the husband of the daughter of the informant,
performed the marriage secretly with Arti Devi (petitioner) and
started to keep her in his house as concubine. Thereafter, the



daughter of the informant was assaulted by her husband through lathi and this petitioner twisted the hand of the daughter of the informant, whereas the mother-in-law of the daughter of the informant caused injury on the head of the daughter of the informant through Khurpa. Thereafter, this petitioner and Gudia Devi, the nanad of the daughter of the informant, gave poison to the husband of the daughter of the informant, who administered the poison to the daughter of the informant and the daughter of the informant died.

Learned counsel for the petitioner submits that, in fact, the petitioner is already married lady and there is no relation of the petitioner with the husband of the daughter of the informant but due to misconception and ulterior motive, the petitioner has falsely been implicated in this case. Moreover, there is allegation in the F.I.R. that the daughter of the informant was assaulted by her husband, mother-in-law and Arti Devi but in the post-mortem examination of the daughter of the informant, no external injury was found on her person. The petitioner, who is lady, has no criminal antecedent. The husband of the daughter of the informant is already in custody.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of her



arrest or surrender by her within six weeks from today, be enlarged on bail on her furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar, in connection with Rajpur P.S. Case No.142 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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