

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53246 of 2019

Arising Out of PS. Case No.-105 Year-2019 Thana- DARBHANGA District- Darbhanga

RITA DEVI Wife of Nageshwar Yadav Resident of Mohallah-Bhagwan Das,
Near J.P. Chauk, P.S.-Town, District-Darbhangha (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-09-2019 This application, for grant of anticipatory bail, arises out of Darbhanga (Town) P.S. Case No. 105 of 2019, disclosing offences under Sections 498(A), 304 (B) and 34 of the Indian Penal Code.

Petitioner happens to be mother in law of the deceased and allegation against her and others is of causing death of deceased in connection with demand of dowry.

Submission of learned counsel for the petitioner is that the husband of the deceased has confessed his guilt and categorically stated that due to hot altercation, he stabbed his wife. However, learned counsel for the petitioner fairly conceded that in this case statement of the daughter of the deceased has been recorded, in which, she has stated that there was some hot altercation between this petitioner and deceased



and, thereafter, this petitioner asked his son (co-accused) to kill the deceased, on which, he took the deceased upstairs and, thereafter, her dead body was found.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances and the nature of accusation, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should 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 and also after considering the fact that petitioner is a lady, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

sunilkumar/-

U		T	
---	--	---	--

