

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65252 of 2019

Arising Out of PS. Case No.-166 Year-2019 Thana- SIWAN MUFFASIL District- Siwan

GIRIJA DEVI Wife of Late Paras Singh Resident of Village - Jamsikri, P.S.-
Siwan Mufasil, Distt - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Prashant Kumar
For the Opposite Party/s	:	Mr.Sunil Kumar Pandey
For the informant	:	Mr. Raghav Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-11-2019 Heard learned Counsel for the petitioner, learned
Counsel for the informant and learned Additional Public
Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Siwan Mufassil Police Station Case No. 166 of 2019,
disclosing offences under Sections 341/323/324/307/302/34 of
the Indian Penal Code read with Section 27 of the Arms Act.

The allegation against the petitioner, as per the First
Information Report, is that on 20.04.2019, the daughter of the
informant, Sindhu Devi (since deceased) informed her that her
husband and in-laws were assaulting her. After some time, she
got information that her husband and other accused persons
assaulted and killed her daughter under conspiracy. It has further



been alleged that husband of the deceased repeatedly inflicted knife blows and also fired on the deceased, causing injury to the deceased in her stomach and when the nephew of the deceased rushed to save her, he was also assaulted by the husband of the deceased and he received sharp-cutting injury on his hand.

Learned Counsel for the petitioner submits that the petitioner has unnecessarily been dragged in this case inasmuch as from perusal of the First Information Report, it would be evident that the allegation of assault is specific against the husband of the deceased. He further submits that from perusal of the injuries sustained by the deceased, it would be evident that she has sustained sharp-cutting injuries and also one gunshot injury on her person. He further submits that the nephew of the deceased, who tried to save her, has also stated that it was the husband of the deceased, who has assaulted him and the deceased. He further submits that the petitioner is an old lady and is the mother-in-law of the deceased.

On the other hand, learned Counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that all the accused persons have assaulted the deceased, which led to her death.

Having regard to the submissions made on behalf of



the parties and taking into consideration the fact that from perusal of the First Information Report and other materials available on record, it is evident that it was the husband of the deceased who had assaulted his wife, the deceased, leading to her death and the petitioner is the mother-in-law of the deceased, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, Girija Devi, in the event of her arrest or surrender before the Court below within four weeks, 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 Chief Judicial Magistrate, Siwan, in connection with Siwan Mufassil Police Station Case No. 166 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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