

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53285 of 2018

Arising Out of PS. Case No.-39 Year-2016 Thana- PALANWA District- East Champaran

Janki Devi W/o Chhathu Das, R/o Vill.- Bhelahi, P.S.- Palanwa, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 15-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends her arrest in connection with Palanwa (Bhelahi O.P.) P.S. Case No. 39 of 2016 registered for the offence punishable under Sections 306 and 201 of the Indian Penal Code.

Petitioner, who happens to be mother-in-law of the deceased is said to have passed comment time and again along with her husband against the deceased persistently asking her to lay down her life as the deceased was always found to be talking with someone on mobile for hours, and consequently, the deceased committed suicide in absence of the petitioner and her husband.



It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. Petitioner has never abated the deceased to commit suicide. The maternal people of the deceased was given information of the occurrence by the Chowkidar, but they did not bother to pay visit in-laws house of the deceased and lodge the case. The deceased might have been eliminated by some other person taking benefit of absence of the petitioner in the house. Petitioner happens to be lady and father-in-law of the deceased has been enlarged on regular bail by the court below. Hence, she deserves bail.

On the other hand, learned APP for the State vehemently opposing the bail prayer of the petitioner submitted that the petitioner abated the commission of suicide by the deceased by asking her to lay down her life time and again by passing taunt on her. Doctor has also found cause of death as asphyxia due to strangulation.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, her prayer is rejected.

However, the petitioner is directed to surrender before the court below within six weeks and seeks regular bail and court below shall pass order in accordance with law considering



the factum of enlarging the father-in-law of the deceased on regular bail by the court below on the very date of filing of the petition without being prejudiced by this order.

(Prakash Chandra Jaiswal, J)

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