

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78503 of 2019**

Arising Out of PS. Case No.-136 Year-2019 Thana- CHENARI District- Rohtas

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Manju Devi Wife of Abhishek Kumar @ Ram Eqbal Ram Resident of Village
- Malhipur, P.S.- Chenari, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Shashibala Verma with
Mr. Akhouri Vipin Bihari Shrivastava, Advocates

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date : 16-12-2019

Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends arrest in connection with
Chenari PS Case No. 136 of 2019 dated 23.05.2019 instituted
under Sections 457/497/307/34 of the Indian Penal Code.

3. The petitioner is the wife of the informant and the
allegation against her and another person is of having illicit
relationship and of attempting to strangulate the informant and
also of apprehension that she may poison the informant to death.



4. Learned counsel for the petitioner submitted that though the other co-accused, who is said to be in illicit relationship with the petitioner, was caught by the persons and handed over to the police, but the petitioner not being arrested itself shows that the allegation is not correct. It was further submitted that it was the petitioner who was objecting to the extramarital relationship of the informant due to which she has been falsely implicated.

5. Learned APP submitted that the conduct of the petitioner does not entitle her to the privilege of anticipatory bail. It was submitted that being the mother of five and trying to kill the informant, who was the husband, in the manner narrated in the FIR, clearly shows that she was serious in her intention. It was submitted that the children had also raised a cry on attempt being made on the father due to which the villagers had assembled and caught hold of the other accused. It was submitted that the allegation of the petitioner having illicit relationship is totally vague and only a defence by way of a counter charge against the informant which is not worthy of being relied upon.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to allow the prayer for anticipatory bail to the petitioner.



7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

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