

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5726 of 2020**

Arising Out of PS. Case No.-292 Year-2019 Thana- TURKAULIYA District- East
Champaran

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PERMILA DEVI W/o- Kishun Bhagat Resident of Village- Hardiya, P.S.-
Turkauliya (Raghunathpur), District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Bal Govind Sharma, Advcoate
For the Opposite Party/s : Mr.Nirmala Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 19-06-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory
bail in connection with Turkauliya P.S. Case No. 292 of 2019
registered for the offence punishable under Section 302, 201,
120B, 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is the mother-in-law of the deceased. It is submitted
that the deceased had left his house along with his wife and
children for his Sasural to attend a marriage ceremony but after
leaving for Sasural on 06.04.2019 he did not return. After more
than a month the present FIR has been lodged by the brother of
the deceased in which it is alleged that the wife and her family
members have killed the brother of the informant and they have



cremated the dead body in order to conceal the same.

Learned counsel submits that the FIR has been lodged after more than a month and the petitioner having not been in active participation in the alleged occurrence deserves privilege of anticipatory bail.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case and upon perusal of the case diary, this Court has noticed that admittedly the deceased had gone to his Sasural to attend the marriage ceremony from where he did not return. In course of investigation the Police has collected CDR of the mobile number of the deceased which shows that during the said period his tower location was near the Sasural village. Wife of the deceased has made confessional statement in which she has admitted her relationship with her brother-in-law (sister's husband).

Considering that the petitioner is the mother-in-law of the deceased, the deceased had gone to her house to attend the marriage ceremony but thereafter, he did not return and the petitioner kept quite, she did not report about the missing of her son-in-law, the conduct of the petitioner does not go in her



favour, this Court is not inclined to grant privilege of anticipatory bail to her. Her prayer is thus, refused.

In case the petitioner surrenders and prays for regular bail within a period of four weeks from today, her prayer for regular bail shall be considered on its own merit without being prejudiced by the present order.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

