

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 16196 of 2020

Arising Out of PS. Case No.-55 Year-2019 Thana- JIRADEI District- Siwan

Urmila Devi W/o Vijay Barnawal R/o village- Badheya, P.S.- Zeeradei,
District- Siwan, (Mother of deceased)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Kant

For the Opposite Party/s : Mrs.Rita Verma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 04-09-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner apprehends her arrest in Zeeradei P.S.
Case No. 55 of 2019 registered for the offence under Sections
328, 302, 34 of the Indian Penal Code.

As per prosecution case, marriage of daughter of the
informant was solemnized with son (deceased) of petitioner in
the year 2017, but on 14-06-2019, the informant received a
telephonic call from his daughter that her husband (deceased)
has been taken away on roof by her in-laws and they have given
him some thing to eat, as a result of which, he died.

It is submitted on behalf of petitioner that petitioner is
mother of the deceased and has falsely been implicated in this
case by her *samadhi* (informant). In fact, the present case is
counter blast of a case, which was filed by husband of petitioner



one day prior to the present case, vide Jeeradei P.S. Case No. 54 of 2019, against his two sons, daughter-in-law and *Samadhi* (informant of the present case). It is further submitted that two sons of petitioner are habitual drunker and they were sent to jail earlier on the complaint made by husband of petitioner. It is also submitted that there is no eye-witness to the alleged occurrence and it cannot be presumed that petitioner, who is 69 years old and mother of the deceased, would kill her own son.

Considering the aforesaid facts and circumstances, the anticipatory bail application is allowed.

In the event of arrest or surrender within a period of eight weeks from the date of receipt/production of copy of this order, let the above-named petitioner be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate 1st, Siwan, in connection with Zeeradei P.S. Case No. 55 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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