

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12768 of 2020

Arising Out of PS. Case No.-224 Year-2019 Thana- BAIRIYA District- West Champaran

RAMAWATI DEVI, Wife of Mahesh Patel @ Mahesh Prasad Resident of
Village - Ojhawaliya, P.S.- Bairia, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhakar Kumar

For the Opposite Party/s : Mr.Madhuri Lata

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 14-09-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner apprehends her arrest in connection
with Bariya P.S. Case no. 224 of 2019, registered under Section
302/34 of the Indian Penal Code.

The accusation is that marriage of Rita Devi,
Nanad of informant Rinki Devi, was performed before six
years with Vinod Patel, son of Late Mahadeo Patel, resident of
village-Ojhawaliya, P.S. Bairia, District- Bettiah (West
Champaran). Since, Vinod Patel, husband of her Nanad Rita
Devi, had illicit relation with his Bhabhi wife of Mahesh Patel
due to that reasons quarrel started. It is alleged that Vinod
Patel, husband of her Nanad, used to give his earning to his
Bhabhi for which informant went at her Nanad's matrimonial



house for Panchayati, but there was no fruitful result and all the three bhabhies of Vinod Patel ousted the informant. On 07.07.2019, informant came to know that her Nanad Rita Devi has been killed by her three gotanies by burn and they also distributed her ornaments amongst them.

Learned counsel for the petitioner submits that petitioner is the wife of Mahesh Patel, brother-in-law of deceased Rita Devi, Nanad of informant, who sustained burn injury at the time of cooking meal and later on died due to burn injury, but with ulterior motive, the informant lodged the present case with false allegation. Further submission is that after realizing the aforesaid facts, the informant filed a compromise petition, in this regard, in the Court of learned Addl. Sessions Judge-VII, Bettiah, West Champaran at the time of disposal of pre-arrest bail of the petitioner vide A.B.P. No. 2631 of 2019. Further submission is that the witnesses in paragraph Nos. 21 and 22 have also stated about sustaining burn injury by the deceased in course of cooking meal.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail



bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-Ist, Bettiah, West Champaran in connection with Bariya P.S. Case No. 224 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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