

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26067 of 2020

Arising Out of PS. Case No.-33 Year-2020 Thana- BAHERI District- Darbhanga

SITA DEVI, aged about 55 years, W/O - Dayanand Poddar, Residence of Mohalla/Vill- Baligaon, P.S. - Baheri, Dist. - Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Kedar Jha, Advocate.

For the Opposite Party : Mr. Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-10-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offences registered under Section 304 (B) of the I.P.C. and $\frac{3}{4}$ of D.P. Act.

The prosecution case, in short, is that the sister of the informant, namely, Puja Kumari, was married with co-accused Sonu Poddar on 12.03.2018 according to Hindu religious rites



and ceremonies and she went to her matrimonial home. After some time, accused persons including the petitioner began to demand a Motorcycle and on refusal, accused persons started assaulting with the sister of the informant. On 29.01.2020 in the evening, petitioner Sita Devi and Dayanand Poddar poured Kerosene Oil and set fire on the body of the informant's sister as a result of which, the sister of the informant died during treatment in P.M.C.H. When the informant was coming to his house with dead body of his sister then mother-in-law and father-in-law of the victim caught hold the neck of the informant near Athar Village and tried to kill the informant but anyhow he informed the police and the police reached there and arrested the mother-in-law but other accused persons fled away.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.02.2020. She has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is the mother-in-law of the deceased. She is separate in mess and property from the husband of the deceased. The husband of the deceased is in custody.



On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Darbhanga, in connection with Baheri P.S. Case No. 33 of 2020.

(Sudhir Singh, J)

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