

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25257 of 2020

Arising Out of PS. Case No.-239 Year-2018 Thana- SAHEBPUR KAMAL District-
Begusarai

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NUTAN DEVI Wife of Arvind Yadav, Resident of Village-Sadpur, P.S.-
Sahebpur Kamal, District-Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.
For the Opposite Party/s : Mr.N.N. Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 04-11-2020 Heard both sides through Video Conferencing.

Petitioner seeks bail in Sahebpur Kamal P.S. Case
No.239 of 2018 registered under Sections 302, 201 and 34 of
the IPC.

The informant (S.H.O. of Sahebpur Kamal P.S.)
lodged the case against unknown after recovery of a dead body
of a woman. The informant found the dead body in water of
Boriya Dhaw. The deceased sustained injury in her abdomen
and on account of such injury, her intestine had come out. There
was ligature mark all around the neck and it also transpired that
the dead body of the deceased was tied with sack filled with soil
and drowned in water of Boriya Dhaw. The photograph of the
deceased was taken.



Learned counsel for the petitioner submits that the petitioner is mother-in-law of the deceased. The son of the petitioner had solemnized marriage with the deceased in a temple. The petitioner had no manner of concern with the family affairs of the deceased and her husband. The police after investigation submitted final form finding the case true but clueless. After one year of the occurrence, on the petition of Shobha Devi (mother of the deceased), the case was re-opened. Shobha Devi disclosed that her daughter was married with the son of the petitioner in the year 2017 but when Shobha Devi did not receive any information about her daughter, she enquired and later on during course of search, the dead body of her daughter was found in water of Boriya Dhaw. Shobha Devi also identified the dead body after seeing the photographs of the dead body as her daughter. It is further submitted that the father-in-law and other in-laws of the deceased have already been granted anticipatory bail by a coordinate bench of this court vide order passed in Cr.Misc.No.25827 of 2020. The case of the petitioner exactly stands on same footing as that of other in-laws. The husband of the deceased is in custody.

From perusal of the case-diary, I find that the deceased was married with Binay Kumar (son of the petitioner)



in the year 2017. Many ante-mortem injuries were found on the body of the deceased. The deceased was murdered and her dead body was thrown in water. The deceased was living with her husband along with other family members but nobody informed the mother of the deceased about the death of the deceased. It appears that the husband with the help of other family members killed the deceased and threw the dead body in water in order to screen out the evidence.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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