

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62118 of 2019**

Arising Out of PS. Case No.-128 Year-2019 Thana- BARHIYA District- Lakhisarai

LULHI DEVI @ KABITA DEVI Wife of Bhullu Ram Resident of Village-
Nauwa Toli, Ward No.3, Barahiya, P.S.- Barahiya, District- Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Shyam Bihari Singh

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 28-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending her arrest in connection with Barahiya P.S. Case No. 128 of 2019, registered for the offence punishable under sections 304B, 201 and 34 of the Indian Penal Code.

As per allegation in the FIR, on 18.05.2019 at 5.00 P.M. information was received by the informant about killing of his daughter by the accused persons. It is stated that the accused persons killed her and disposed of her body. It is further stated that in April, 2019 as a result of abuse and torture, an agreement had been entered into in the Mahila P.S. Nalanda, wherein it had been agreed that she would not be tortured.



It is submitted by learned counsel for the petitioner that the petitioner is gotni (sister-in-law) of the deceased. It is submitted in reference to the compromise/undertaking, mentioned in the FIR, that it is between the deceased and her husband. It is further submitted that in course of investigation, the statements of husband and mother of the deceased were recorded and the husband has practically accepted to killing of his wife. It is finally submitted that the petitioner is a 25 years old lady, having no criminal antecedent.

The application for bail is opposed by learned APP for the State. He has referred to paragraph no. 54 of the case diary, wherein statement of the sister of the deceased has been recorded.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, the relationship between the petitioner and the deceased, the statements recorded in paragraph nos. 49 and 54 of the case diary and that the petitioner has no criminal antecedent, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of her arrest or surrender in connection with Barahiya P.S. Case no. 128 of 2019, she will be



enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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