

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69366 of 2019

Arising Out of PS. Case No.-116 Year-2019 Thana- BHANGWANPUR HAT District- Siwan

SIYAPATI DEVI Wife of Rajendra Prasad Patel @ Rajendra Patel Resident of
Village - Sahsaraon, P.S.- Bhagwanpur Hat, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 06-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 302, 201/34 of the Indian Penal Code registered in connection with Bhagwanpur Hat P.S. Case No. 116/2019.

3. It is submitted that the petitioner has been falsely implicated in connection with alleged killing of her daughter-in-law. It is submitted that the deceased was an Anganwari Sevika whose services had been disengaged, leading to depression and suicide. The accused persons had duly informed the informant side with regard to the occurrence and the informant's side were present throughout the medical treatment of the deceased and the allegation has been made belatedly, only after the death occurred. The deceased and the petitioner's son was married as far back as in the year 2007 and no allegation of cruelty or torture was ever made in the past. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the



informant appears and oppose the petition. It is submitted that the ten years old daughter of the deceased has stated in para 28 of the case diary that she was an eye-witness to the occurrence, stating that the petitioner along with other family members sprinkled kerosene oil and set fire to the deceased leading to her death. The husband of the deceased was residing at Assam and the deceased was residing with the petitioner and other family members.

5. Having regard to the entirety of the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Bail petition stands dismissed.

6. If the petitioner surrenders and seeks regular bail before the learned Court below the same shall be considered on its own merit in accordance with law and without being prejudiced by any observation in the present order.

(Vikash Jain, J)

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