

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84411 of 2019

Arising Out of PS. Case No.-294 Year-2019 Thana- BIKRAMGANJ District- Rohtas

SHEELA DEVI Wife of Chandra Shekhar Singh Resident of Village -
Dhangain, P.S.- Bikramganj, District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.N.K.Agrawal, Sr. Adv.

For the Opposite Party/s : Mr.Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 18-06-2020 Heard both sides through Video Conferencing.

The petitioner apprehends her arrest in Bikramganj
P.S. Case No.294 of 2019 registered under Sections 304B and
34 of the Indian Penal Code.

The brother of the deceased alleged that his sister was
married in the year 2016 with Pramod Kumar Singh. After
marriage, she was subjected to different sorts of torture at the
hands of her husband and other in-laws. Four months prior to
the occurrence, the informant gave Freeze, Cooler, T.V. and
Godrej Almirah so that her sister should not be subjected to any
sorts of torture but on 12.06.2019 at 10 P.M., the informant got
information that his sister and her 1½ years son was hospitalized
due to burning. When the informant went to Karuna Hospital,
Bikramganj, the informant saw both of them were lying



unconscious and they got burn injury. After sometimes, the doctor declared them as dead.

Mr. N.K.Agrawal, the learned senior counsel for the petitioner submits that petitioner is mother-in-law of the deceased and there is no allegation that the petitioner ever subjected her daughter-in-law to any sorts of torture due to non-fulfillment of demand of dowry. During the course of investigation, the informant and his family members made general allegation of demand of dowry and torture. In para 67, 74 and 79 of the case diary, the witnesses have stated that the petitioner was passing comments on her daughter-in-law due to non-fulfillment of demand of dowry but nobody has said that petitioner ever tortured her daughter-in-law. Her daughter-in-law herself ignited fire along with her son and died. Petitioner is a lady. Hence, the petitioner deserves anticipatory bail.

Learned A.P.P. opposed the prayer for anticipatory bail.

Perused the F.I.R. and the case diary. It appears that informant has made specific allegation of demand of dowry and torture against the petitioner and other family members of the petitioner. Admittedly, the sister of the informant and daughter-in-law of the petitioner and her son got severe burn injury inside



the house and there is allegation that the petitioner and others were torturing the deceased.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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