

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32332 of 2020

Arising Out of PS. Case No.-13 Year-2020 Thana- SARAIYA District- Muzaffarpur

MINA DEVI, Wife of Baldev Das Resident of Village - Datapur, P.S.-
Saraiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 19-05-2021 Heard Mr. Nachiketa Jha, learned counsel for

the petitioner and Mr. Anil Prasad Singh, learned APP for

the State.

The petitioner, who is the mother-in-law of the
deceased, seeks bail in anticipation of her arrest in
connection with Saraiya P.S. Case No. 13 of 2020,
instituted for the offence under Section 304-B of the
Indian Penal Code.

The learned counsel for the petitioner has
submitted that from the statement of informant
himself, it would appear that the informant was told
that the deceased had committed suicide by pouring



kerosene oil over herself. It has, therefore, been submitted that petitioner cannot be faulted for being the mother-in-law of the deceased, who chose to commit suicide.

It has further been submitted that the allegations are absolutely general and omnibus in nature and from the post-mortem report, it appears that the death was because of burn injuries. There is no other injury on the person of the deceased, signifying that she was not subjected to any physical pressure by anyone else except herself.

However, considering the fact that the petitioner is the mother-in-law of the deceased and is responsible for the well being of her daughter-in-law, I am not inclined to grant her anticipatory bail.

The prayer for anticipatory bail is rejected.

While saying so, this Court has also taken note of the fact that the husband of the deceased has not yet surrendered to the process of law.



However, if the petitioner surrenders before the court below and seeks bail, the court below shall take into account the age, gender and the accusation against the petitioner and shall pass orders in accordance with law, without being prejudiced by the fact that the present petition on her behalf has not been entertained.

(Ashutosh Kumar, J)

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