

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31751 of 2020

Arising Out of PS. Case No.-144 Year-2020 Thana- RAMGARHWA District- East
Champaran

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Meena Devi, aged about 60 years, Wife of Devilal Giri @ Devi Lal Giri
Resident of Village - Rakhwariya, P.S. - Ramgadhwa, District - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 12-02-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Bilesh Kumar Pandey, learned counsel
for the petitioner and Mr. Jharkhandi Upadhyay, learned In-
charge Additional Public Prosecutor (hereinafter referred to as
the ‘APP’) for the State.

3. The petitioner apprehends arrest in connection with
Ramgadhwa PS Case No. 144 of 2020 dated 19.06.2020,
instituted under Sections 304B/34 of the Indian Penal Code.

4. The petitioner, who is the mother-in-law of the
deceased, along with others is accused of killing the sister of the
informant by hanging her.

5. Learned counsel for the petitioner submitted that



she is the mother-in-law and has no role in the death and further that it was the victim herself who had committed suicide. Learned counsel drew the attention of the Court to the order dated 02.09.2020 of the 11th Additional Sessions Judge, Motihari, East Champaran in ABP No. 1585 of 2020 in which it has been recorded that perusal of paragraph no. 6 of the case diary shows that the brother of the deceased has mentioned that the marriage was solemnized about 14-15 years back and that the other witnesses who are neighbours have stated that there was regular fight between the deceased and her husband and most importantly, the minor son of the deceased, who is also eye witness in the present case, has stated that there was fight between his parents in the morning of 19.06.2020 as the deceased demanded to visit her parental home and immediately thereafter she locked herself inside her room and hanged herself. Learned counsel submitted that the petitioner is an old lady and there is no history of any past complaint against her and was not involved in the matrimonial discord and has no other criminal antecedent.

6. Learned APP submitted that the petitioner is the mother-in-law and death took place in the matrimonial home.

7. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Raxaul at Motihari in Ramgadhwa PS Case No. 144 of 2020, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and further, that one of the bailors shall be a close relative of the petitioner. The petitioner shall cooperate with the Court and the police/prosecution. Failure to cooperate would lead to cancellation of her bail bonds.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

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