

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38507 of 2020
Arising out of P.S. Case No. 39, year- 2020, Thana Matihani, District
Begusarai

Indu Devi, Female, aged about 42 years, wife of Rambalak Malakar, R/O
Village Chiranjivipur, P.S. Bachwara., District Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opp. Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kumar Kashyap, Adv.

For the Opp. Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-05-2021

The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Mr. Atul Chandra, the learned APP appearing for the State.

The petitioner apprehends her arrest in connection with Matihani P.S. Case No. 39 of 2020 for the offence punishable under Sections 302, 201/34 of the Indian Penal Code.

The allegation is regarding the accused persons having burnt the victim lady to death.

The learned counsel for the petitioner, who is the married sister in law of the deceased victim lady, has submitted



that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner has not been named in the FIR and moreover, there is no allegation of the petitioner having indulged in any sort of untoward incident qua the victim lady. It has been further submitted that the husband of the deceased victim lady has already been granted the privilege of bail by the learned court below after the informant had appeared before the Ld. court below and submitted that the accused persons are not responsible for the death of the victim lady.

Mr. Atul Chandra, the learned APP appearing for the State has submitted that in case this Court is inclined to grant anticipatory bail to the petitioner herein, the learned court below be directed to verify as to whether the husband of the victim lady has been granted bail or not.

Having regard to the facts and circumstances of the case and considering the submissions made by the Ld. Counsel for the parties as also taking into account the fact that prime facie the petitioner does not appear to be having any complicity in the present case and moreover, even the husband of the deceased victim lady has been granted bail by the learned court below, I



proper to admit the petitioner to

the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the learned court below within a period of four weeks from today, the petitioner, above-named, shall be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Begusarai in connection with Matihani P.S. Case No. 39 of 2020, subject to the conditions laid down under Section 438(2) of the Cr. P.C., further subject to the condition that the learned court below shall verify the fact as to whether the husband of the victim lady has been granted bail by the learned court below or not.

(Mohit Kumar Shah, J)

Tiwary/-

