

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69945 of 2019

Arising Out of PS. Case No.-164 Year-2019 Thana- KOILWAR District- Bhojpur

PRAMILA DEVI W/o Late Munna Prasad, Resident of Village - Koilwar,
P.S.- Koilwar, Distt.- Bhojpura (Ara), Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Basant Kumar Tripathy

For the Opposite Party/s : Mr. Ajit Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

6 01-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner apprehends her arrest in connection with Koilwar P.S. Case No.164 of 2019 (G.R. No. 2197 of 2019) registered for the offences punishable under section 302, 201/34 of the Indian Penal Code.

Priyanka Kumari, the wife of the deceased Rahul Kumar, has lodged this case mentioning therein that her marriage was solemnized with the deceased in the year 2018. After marriage, the present petitioner Pramila Devi and her friend Vijay Kumar subjected her to cruelty for non-fulfillment of demand. Her husband (deceased) used to protest the demand. The informant left her matrimonial house and started living in



Bihta along with her husband. It is further alleged that Vijay Kumar, the friend of the petitioner, also physically exploited the informant. In the morning of the occurrence at about 6:00 A.M., the informant was informed by another that the petitioner and her friend Vijay Kumar had committed murder the husband of the informant by pressing his throat. When the informant came to her Sasural and made enquiry, the accused persons threatened her to implicate in the case.

Learned counsel for the petitioner has submitted that admittedly, the petitioner is mother of the deceased. As such, it cannot be supposed that the mother may kill her son. He has further submitted that the supervision of the case was made by the Sub Divisional Police Officer (hereinafter referred to as 'SDPO' and in paragraph 35 of the case diary, the SDPO did not find involvement of the petitioner. By drawing my attention to page 35 of the case diary, he has submitted that the SDPO has specifically mentioned that the case was only found true against Vijay Kumar and there is no involvement of the present petitioner in the occurrence.

Per contra, learned Additional Public Prosecutor has submitted that the witnesses in paragraph 7, 8 and 21 of the case diary have supported the occurrence.



Considering the fact that the involvement of the petitioner has not been found in supervision report of the SDPO, the petitioner above named, in the event of her arrest or surrender, within one month from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the District and Sessions Judge, Bhojpur, Ara in connection with Koilwar P.S. Case No.164 of 2019 (G.R. No. 2197 of 2019), subject to condition as laid down under section 438(2) Cr. P.C.

(Nawneet Kumar Pandey , J)

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