

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42531 of 2022

Arising Out of PS. Case No.-34 Year-2022 Thana- KASHICHAK District- Nawada

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Anita Devi W/o Deepak Kumar @ Pappu Kumar R/o village- Mahrath, P.S.-
Kashichak (Shahpur O.P.), Distt.- Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 16-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks regular bail in connection with
Kashichak (Shahpur O.P.) P.S Case No. 34 of 2022 registered
for the offence punishable under Sections 304(B) and 34 of the
Indian Penal Code.

As per the prosecution, the informant's sister was
married to Krishna Kumar on 01.05.2019 and soon after the
marriage her in-laws started demanding for a car and threatened
to kill her on non-fulfillment of the demand. Further it is alleged
that on the alleged date the informant's sister's husband with his



family members set the victim on fire by pouring Kerosene and killed her.

The main submissions advanced by learned counsel Mr. Shanti Bhushan Singh appearing for the petitioner are that the petitioner is mother-in-law of the deceased and the husband of the deceased has surrendered and is presently in judicial custody and the allegation made against the petitioner in the FIR is general and omnibus and in fact the deceased accidentally sustained burn injury while cooking food, thereafter the husband of the deceased informed the parental relative of the deceased and after that the deceased was immediately rushed to the hospital by the petitioner and husband of the deceased which shows bonafide intention on the part of the petitioner. Further submission is that as per the FIR the deceased was burnt by the accused persons by pouring Kerosene oil on her body but as per the Post-Mortem report no evidence of Kerosene oil was found and the petitioner is mother-in-law of the deceased and has been languishing in jail since 13.06.2022 and there is no specific allegation against her in the FIR.

Learned APP Mr. Suresh Prasad Singh appearing for the State has opposed the prayer for bail.

Having considered the facts that the petitioner is



stated to be the mother-in-law of the deceased and against her no specific allegation of dowry demand and cruelty was made by the informant in the FIR and the allegation concerned to her is general and omnibus and the petitioner has been languishing in jail since 13.06.2022, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer. Accordingly, the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge-VIII, Nawada in connection with Kashichak (Shahpur O.P.) P.S Case No. 34 of 2022.

(Shailendra Singh, J.)

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