

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63259 of 2021**

Arising Out of PS. Case No.-258 Year-2021 Thana- BIHIA District- Bhojpur

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PUJA DEVI W/o- Amit Kumar R/o Village - Osain, P.S. Bihiya, District - Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Ataul Haque
For the Opposite Party/s : Mr.A.G.

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

ORAL ORDER

2 20-07-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

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

The petitioner apprehends her arrest for the offences alleged under Sections 498(A) and 304(B)/34 of the Indian Penal Code, registered in connection with Bihiya P.S.Case No. 258 of 2021.

As per allegation, the informant's daughter Dimple, Devi (deceased) was married to co-accused Sumit Mahto in 2019. The customary present were given to the petitioner on the occasion of marriage as per affording capacity of the informant.



After marriage, her husband Sumit Mahto, Gotni Puja Devi and the petitioner used to assault her and also deprived her from her meal. The reason behind the atrocities was that the husband of the deceased had illicit relation with the petitioner. The deceased used to protest the illicit relation and consequently she was beaten by her husband. On 5th July, 2021, the deceased committed suicide by strangulating herself due to torture inflicted by the petitioner and her husband Sumit Mahto due to non-fulfilment of dowry demand such as gold chain and sewing machine.

The learned counsel for the petitioner has submitted that petitioner is *gotni* of the deceased. She has no concern with day to day life of the couple. He has submitted further that both the parties have compromised the case.

There is specific allegation against the petitioner that she had sexual relation with the husband of the deceased and whenever she protested the petitioner and husband of the deceased assaulted her. The petitioner appears to be the root cause of the entire episode, destroying the life of the couple, due to which the deceased had taken suicidal steps.

In view of aforesaid facts and circumstances, the petitioner does not deserve the privilege of anticipatory bail. Her



prayer for anticipatory bail is hereby rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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