

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36314 of 2023

Arising Out of PS. Case No.-1021 Year-2021 Thana- NAGAR District- Vaishali

Rekha Devi @ Rekha Mahto Wife Of Chunchun Mahto Resident Of Village-
Panchpara Radhadasi Howrah, Ps- Sankrail, District- Howrah, West Bengal-
700317

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Poonam Kumari

For the Opposite Party/s : Ms. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 18-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Hajipur Sadar P.S. Case No. 1021 of 2021 registered for the offences punishable under Sections 498(A), 302, 34 and 120(B) of the Indian Penal Code pending in the Court of learned Chief Judicial magistrate, Vaishali at Hajipur.

3. As per the prosecution case, it is alleged that the petitioner and other in-laws of the informant's daughter murdered his daughter under conspiracy.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. He submits that the petitioner is sister-in-law of the deceased. She along with her husband and children permanently resides in her home which is in Howrah. The petitioner has no criminal antecedent as mentioned in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that the process under Section 83 of the Cr.P.C. has been completed against the petitioner, it is mentioned in para-148 of the case diary. Hence, she does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order, considering the fact that the petitioner is female.

(Anjani Kumar Sharan, J)

anand/-

U		T	
---	--	---	--

