

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37582 of 2023

Arising Out of PS. Case No.-25 Year-2023 Thana- JALALGARH District- Purnia

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RAMNI DEVI, WIFE OF LATE PRAKASH PANDIT, RESIDENT OF
LALIYA, P.S. - JOKIHAT, DISTRICT - ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md Fazle Karim, Advocate

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 28-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State of Bihar.

2. The petitioner is apprehending her arrest in
connection with Jalalgarh P.S. Case No.25 of 2023 registered for
offence under Sections 341, 342, 379, 306 and 34 of Indian
Penal Code.

3. As per prosecution case, the informant has alleged
that the petitioner, wife of her son, along with other family
members had come to the house of the informant on the eve of
occurrence and assaulted the deceased. It is alleged that being
insulted in the aforesaid manner, her son has committed suicide
by hanging, for which she has named four persons including the
petitioner to be responsible.

4. It is submitted by learned counsel for the petitioner



that as per allegation, on the eve of the occurrence, the victim was also assaulted brutally. Referring to the order of the learned Sessions Judge, Purnea, rejecting petitioner's prayer for bail on 12.05.2023, he submits that the postmortem report has been considered and other than asphyxia, no external injuries have been taken note of. This itself belies the prosecution case of brutal assault by the petitioner and her family members on the eve of occurrence. The written report has been filed only to ward off the petitioner's claim for her due rights with respect to the assets of the deceased. It is apparent that the marriage was at least 12 years old and there were offsprings. In fact, the suicide has been committed because the victim was an alcoholic and otherwise mentally upset. The petitioner has no criminal antecedents.

5. Learned APP for the State has opposed the prayer for bail.

6. Considering the above submission, nature of injuries and the allegations in the written report, as also clean antecedents of the petitioner who happens to be a female, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

7. Petitioner's prayer for anticipatory bail is allowed.



8. Accordingly, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of four weeks from today, 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 the learned C.J.M., Purnea, in connection with Jalalgarh P.S. Case No.25 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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