

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45365 of 2023

Arising Out of PS. Case No.-538 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

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JANKI DEVI WIFE OF JHULAN SAH RESIDENT OF VILLAGE- SONKI,
PS- SADAR (SONKI OP.), DIST- DARBHANGA, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Shahnawaz Ali, Advocate

For the Opposite Party/s : Ms.Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 04-08-2023 1. Heard the learned counsel for the petitioner and the learned A.P.P. for the State.
2. The petitioner apprehends her arrest in connection with Darbhanga Sadar (Sonki O.P.) P.S. Case No. 538 of 2022, registered for the offences punishable under Sections 341, 323, 307, 326(A), 504, 506 and 498(A)/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.
3. The allegation is regarding the accused persons including the petitioner herein, who is the mother-in-law of the deceased victim lady, having set her on fire by pouring kerosene oil over her body.
4. The learned counsel for the petitioner



has submitted that the petitioner is innocent, she has been falsely implicated in the present case and she is having a clean antecedent. The learned counsel for the petitioner has further submitted that there is no specific allegation qua the petitioner herein, however, the petitioner be granted the privilege of anticipatory bail subject to the husband of the deceased victim lady, namely, Shiv Kumar Sah surrendering before the learned trial court within a period of four weeks from today.

5. *Per contra*, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record, this Court deems it fit and proper to dispose off the present petition with a direction to the learned court of C.J.M., Darbhanga in connection with Sadar (Sonki O.P) P.S. Case No. 538 of 2022, that in case the husband of the



deceased victim lady surrenders within a period of four weeks from today, the petitioner be granted the privilege of anticipatory bail subject to such conditions as may be deemed fit and proper to be imposed by the learned trial court.

7. The petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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