

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45443 of 2022

Arising Out of PS. Case No.-12 Year-2022 Thana- DANIYAWAN District- Patna

SONI DEVI @ SAVITA DEVI, Wife of late Pramod Kumar Resident of
village - Sikandarpur, Police Station- Daniyawar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 04-04-2023 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Daniyawar Police Station Case No. 12 of 2022,
registered for the offences punishable under Sections 302, 201,
34 of the Indian Penal Code.

Prosecution story in brief is that accused persons
named in the FIR have allegedly committed murder of the
daughter of the informant.

Learned counsel appearing on behalf of the
petitioner submits that petitioner is the mother of the deceased
child and such heinous crime cannot be accepted from a mother
who is widow. The petitioner has been implicated in the present
case so that the legitimate share falling in the share of the



husband of the petitioner to which the petitioner and the deceased child were entitled to in accordance with law has been roped in a false case of murder of petitioner's own child.

Learned counsel appearing on behalf of the State submits that in course of investigation, materials evidence has been collected by the I.O., the witnesses have supported the involvement of the petitioner in the alleged murder of the child and some of the witnesses have seen the petitioner in disposing of the dead body of the child in Ganga river.

Having considered the rival submissions of the parties, materials on record, there is no eye witnesses to the alleged murder, manicure evidence has been collected in course of investigation from which it shows that the petitioner was involved in disposing of the dead body of her child in absence of any cogent evidence collected to establish prima facie involvement of the petitioner in commission of murder, I am of the opinion that petitioner has prima facie made out a case of pre-arrest bail.

Let the petitioner, named above, in the event of her arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the



satisfaction of learned Judicial Magistrate, Ist Class, Patna City,
in connection with Daniyawan Police Station Case No. 12 of
2022, subject to the condition laid down under Section 438 (2)
of the Code of Criminal Procedure.

(Purnendu Singh, J)

sanjeev/-

U			
---	--	--	--

