

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53565 of 2022

Arising Out of PS. Case No.-205 Year-2022 Thana- DESARI District- Vaishali

=====

RITA DEVI W/o Achelal Sahni Resident of Village- Chanpur Nanhakar, P.S.-
Desri (Chandpura O.P.), District- Vaishali (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Mohammed Arif, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 24-03-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 302, 498(A) and 34 of the Indian Penal
Code.

The daughter of the informant is alleged to have been
assaulted after she refused to make physical relation with other
person. It is further alleged that petitioner and others have
committed murder of daughter of the informant.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the petitioner happens to be mother- in-law of the deceased and
she never assaulted the deceased nor she compelled her to make
relation with others. He further submits that merely on the basis



of suspicion, she has been made accused in this case along with others. He further submits that as a matter of fact, the deceased has committed suicide and this fact has surfaced during course of investigation. This petitioner has not played any pivotal role in the alleged occurrence. The petitioner is rotting in judicial custody since 19.05.2022.

Learned A.P.P. for the State on the other hand vehemently opposed the prayer for bail of the petitioner on the basis of material available on record and the case diary. It has been submitted that during course of investigation, it has come that the petitioner along with other family member compelled the deceased to do illegal act and when she refused to do so, she has been assaulted and tortured by the petitioner compelling her to commit suicide. It is further submitted that according to the postmortem report, the cause of death of the deceased shown due to Asphyxia caused by strangulation.

Considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected.

(Rajesh Kumar Verma, J)

brajesh/-

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

