

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21809 of 2024

Arising Out of PS. Case No.-531 Year-2023 Thana- AMARPUR District- Banka

ANITA DEVI WIFE OF PANKAJ YADAV RESIDENT OF VILLAGE -
BAJA, P.S. - AMARPUR, DISTRICT - BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dhananjay Pandey, Adv.
For the informant	:	Mr. Ranjeet Choubey, Adv.
For the Opposite Party/s	:	Mr.Navin Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

7 06-09-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Amarpur P.S. Case No. 531 of 2023 dated
23.07.2023 registered for the offences punishable under
Sections 302 and 201/34 of the I.P.C.

3. As per the prosecution case, on 23.07.2023 the
informant got information that her husband has been murdered
and his dead body was near *Dhodha Channel*. On the
information, she went there and identified the dead body with
the sign of injury on his neck. Her husband went out on
22.07.2023 at about 7.00 P.M. by his motorcycle. In the



morning, she got information about murder. Her husband had illicit relationship with the petitioner Anita Devi. Before occurrence her husband was assaulted many times and threatened to murder by the accused and others. Lastly, she claimed that her husband was murdered by the petitioner Anita Devi and her relatives and hanged on a tree to hide the dead body.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The name of the petitioner has surfaced in this case merely on suspicion. It is further submitted that the petitioner has no concern with the alleged offence. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State and learned counsel for the informant have opposed the prayer for anticipatory bail of the petitioner. Learned counsel for the informant by filing a counter affidavit on behalf of the informant has submitted that the husband of the informant late Abhishek Kumar Anand had already filed a Informatory Petition bearing Case No. 493 of 2022 before the court of learned C.J.M., Banka, alleging



allegation of harassing against the petitioner and the other co-accused persons only for grabbing money and his property and when they got failed in doing so, the petitioner and the other co-accused persons in a very planned manner killed the husband of the informant in a very brutal manner.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, I am of the view that no case for grant of anticipatory bail is made out. The petition is rejected and the petitioner is directed to surrender to the Court below within six weeks from the date of this order and the Court below shall consider the prayer of bail of the petitioner in accordance with law and on its own merits without being prejudiced by this order.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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