

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24966 of 2024

Arising Out of PS. Case No.-344 Year-2023 Thana- JHAJHA District- Jamui

Indra Devi W/o Gorelala Paswan Resident of Village- Demadih, Post-
Barajor, Tola- Barajor, P.S. Jhajha, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Pankaj Kumar Sinha, Advocate
For the State : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 07-08-2024 Heard learned counsels for the parties.

2. The petitioner apprehends her arrest in a case registered for the offence punishable under Sections 120B, 376, 302, 201 and 34 of the Indian Penal Code.

3. As per prosecution case, the complainant arranged marriage of his daughter, namely Meena Devi, with one Anil Paswan. Thereafter, daughter of the complainant used to reside at her matrimonial house along with her husband and three children. When husband of daughter of complainant went to Pune to work as laborer, taking advantage of the situation, one Bhuna Paswan forcibly established physical relationship with the deceased and on protest, Bhuna Paswan used to assault her. Thereafter, on 24.03.2021, at about 6AM, complainant got information through call by Anil Paswan that his daughter has



passed away. When the complainant reached at the place of occurrence, he found co-accused Bhunna Paswan and this petitioner destroying the evidences. The complainant also found injury marks over thigh, right hand and neck of the deceased and blood was oozing out from her private parts. The villagers disclosed and co-accused Bhunna Paswan raped daughter of complainant.

4. It is submitted by learned counsel appearing on behalf of the petitioner that complainant is not an eye witness of the alleged occurrence and only suspicion has been raised against this petitioner. As a matter of fact, petitioner is sister-in-law of co-accused Bhunna Paswan and she is living separately and has got no concerns with the daily affairs of the deceased or her husband. In fact, the deceased Meena Devi herself committed suicide in presence of the complainant and thereafter *post mortem* was done and U.D. case was also registered. The present complaint has been filed on 24.03.2021 and F.I.R. was lodged after 2 years and 4 months. Moreover, specific accusation of commission of rape and murder is against co-accused Bhunna Paswan. Petitioner is a lady and claims clean antecedents.

5. Learned A.P.P. for the State has opposed the prayer



for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Jamui, in connection with Jhajha P.S. Case No. 344 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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