

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35594 of 2024

Arising Out of PS. Case No.-91 Year-2022 Thana- UPHARA District- Aurangabad

Rita Devi @ Buchiya Devi Daughter of Mahendra Sao Resident of Viillage-
Saharsa ,P.S- Uphara, Dist- Aurangabad Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Chandna, Advocate.

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 21-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in connection
with Uphara P.S. Case No.91 of 2022 instituted under Sections
302/34 of the Indian Penal Code.

3. As per the prosecution case, sister of the informant
was married with brother of the petitioner namely Bipin Sao ten
years ago and petitioner alongwith other family members killed
the victim by burning her with kerosene oil.

4. Learned counsel for the petitioner submits that
petitioner is married sister-in-law (*Nanad*) of the deceased and
she has been falsely implicated in this case. He further submits
that there is no specific allegation against the petitioner. He also
submits that petitioner is living in her in-laws house (*Sasural*)
and she has no concern with the affairs of deceased and her
husband. Learned counsel submits that the police after



investigation filed charge sheet under Section 306/34 of I.P.C. against the husband and father-in-law of the deceased. He further submits that antecedent of petitioner is clean and she is ready to cooperate in the investigation and the trial. Learned counsel submits that husband of the deceased namely Bipin Sao has already been granted bail by this Court vide order dated 29.01.2024 passed in Cr. Misc. No.2294 of 2024.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Judicial Magistrate 1st Class, Daudnagar, Aurangabad in connection with Uphara P.S. Case No.91 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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