

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39505 of 2024**

Arising Out of PS. Case No.-225 Year-2023 Thana- MOHAMMADPUR District- Gopalganj

1. Achhelal Sah Son of Kailash Sah Resident of Village- Bhimpurwa, P.S- Mahmadpur, Dist- Gopalganj- 841409
2. Renu Devi Wife of Achhelal Sah Resident of Village- Bhimpurwa, P.S- Mahmadpur, Dist- Gopalganj- 841409

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Jeetendra Narayan

For the Opposite Party/s : Mr.Navin Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

4      20-11-2024              1.    Heard learned counsel for the petitioner and learned A.P.P. for the State.

2.    Since the prayer for anticipatory bail with respect to petitioner No. 1 has already been withdrawn vide order dated 10-7-2024, as such the instant application is being heard with respect to Petitioner No. 2 only.

3.    The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 302 and 201 of the Indian Penal Code.

4.    The learned counsel for the petitioner submits that Achhelal was married to Babli about 22 years ago and out of wedlock, a child was born, namely, Pushpa, further the wife of



Achhelal, Babli, died, thereafter Achhelal performed his second marriage with Renu Devi (Petitioner No. 2). The informant, who is own sister of Babli, alleges that after Achhelal married Renu, they started torturing Pushpa and also killed her and got her body disposed of.

5. Learned counsel for the petitioner submits that informant is not an eye-witness to the occurrence and the entire allegation hinges around suspicion and Achhelal married Renu after the death of his first wife. It is next submitted that no doubt at times dispute arose in between Renu and Pushpa, but then the allegation that Renu along with Achhelal killed Pushpa is based on surmises and conjunctures for the reason that Renu is step-mother of Pushpa. Learned counsel further submits that Pushpa died her natural death and her body was cremated in presence of the family members. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove her innocence.

2. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

3. Considering the submissions made by the learned counsel for the petitioner, the petitioner No. 2, in the event of her arrest or surrender before the learned trial court within a



period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mohammadpur P.S. Case No. 225 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

4. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting herself as and when required, the learned trial court shall be at liberty to forthwith cancel the bail bonds of the petitioner after recording reasons.

5. It is further made clear that if charge sheet is submitted connecting the petitioner with the offence, in that event, the present anticipatory bail order shall lose its effect.

6. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

**(Satyavrat Verma, J)**

SUMIT/-

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