

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42641 of 2024

Arising Out of PS. Case No.-99 Year-2021 Thana- NAUTAN District- Siwan

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Kamlawati @ Kamlawati Devi @ Kalawati Devi W/o Madhusudan Dubey @
Madhusudan R/O Vill - Mishrichak, P.S. - Nautan, Dist - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 21-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending her arrest in connection with Nautan P.S. Case No. 99 of 2021, registered on 10.05.2021 for the offences under Sections 498A, 307/34 of the Indian Penal Code. Later on, Section 302 of the IPC was also added.

3. As per prosecution case, the sister of the informant was set on fire by the petitioner and other co-accused persons in her matrimonial home. The sister of the informant succumbed to her injuries ruring the treatment

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. The petitioner is an old lady aged 70 years and she is the mother-in-law of the victim. The marriage was solemnized on 2003 and the occurrence took place in the year 2021 so the allegation of any type of demand is not believable. Further, it is apparent from the treatment papers it was the co-accused father-in-law of the deceased, who took her to Deoriya for treatment. Learned counsel further submits that even the informant was called and he made statement in Deoriya which is quite different from the contents of the FIR. Learned counsel further submits that co-accused persons Pashupati Pandey and Suman Pandey have been granted anticipatory bail by a Co-ordinate Bench vide order dated 05.09.2022 passed in Cr. Misc. No. 69669 of 2021.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the statement of the deceased was recorded prior to her death when she was admitted for treatment of her burn injuries and she specifically named this petitioner who poured kerosene oil and set her on fire. Learned APP further submits that the son of the deceased was also present and he made the same allegation against the petitioner and her co-accused husband.

6. In view of the specific and serious allegation against the petitioner, I do not think it is a fit case for grant of



anticipatory bail and hence, the prayer for anticipatory bail of
the petitioner is rejected.

(Arun Kumar Jha, J)

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