

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75814 of 2023

Arising Out of PS. Case No.-164 Year-2018 Thana- AURAI District- Muzaffarpur

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FULO DEVI W/O RAMBRICCH MANDAL VILLAGE- HANSWARA, PS.
AURAI, DIST. MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate

For the Opposite Party/s : Ms.Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 07-03-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Aurai PS case no. 164 of 2018, disclosing
offences punishable under Section 304(B)/34 of the Indian
Penal Code.
3. The prosecution story, as per the First
Information report, is that on 31.07.2018, informant got
telephonic information that his sister Rani Devi has died of
electrocution at her matrimonial home. On that information,
informant visited the matrimonial home of his sister and
found her dead body lying on a bed and her mother-in-law i.e.



the petitioner herein informed him that she has died of hanging.

4. Learned Counsel for the petitioner submits that there is no allegation of demand of dowry, prior to the death of the deceased and the deceased has committed suicide. He further submits that petitioner is mother-in-law of the deceased and allegations against her along with husband of deceased are general and omnibus in nature.

5. I have heard learned counsel for the parties and gone through the materials on record including the impugned order. From perusal of impugned order, it appears that marriage of the deceased and co-accused was solemnized one and half years ago from the date of occurrence. The learned Sessions Judge has recorded that it was informed that the deceased died due to electrocution but FSL report shows that Thymate was found in the viscera of the deceased which reflects that wrong information was given regarding death. There is presumption against the accused persons under Section 113A and 113B of the Evidence Act, 1872. Admittedly, the deceased has died within 07 years of marriage due to strangulation in her matrimonial home, accordingly, I am not inclined to grant



anticipatory bail to the petitioner.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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