

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81631 of 2023

Arising Out of PS. Case No.-549 Year-2021 Thana- GHOSI District- Jehanabad

LILA DEVI Wife of Sagar Ram R/o vill - Nagma, P.S. - Ghoshi, Distt. - Je-
hanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Ghoshi P.S. Case No. 549 of 2021 instituted for the offence punishable under Sections 302/34 of the Indian Penal Code.

3. The prosecution case is that the informant has solemnized marriage of her daughter with Chandan Kumar about 8-9 years ago. After that, they were leading a happy life and have two daughters and one son. It is further alleged that her son-in-law used to live separately with his parents and there is a dispute of partition with regard to the ancestral property in the family. It is further alleged that on 25.12.2021 at about 4 AM she got information through mobile that her daughter Rinku Devi had died due to cold attack. Then, she went to the village



Nagma (daughter's sasural) with her family members and found dead-body of her daughter in the field. It is further alleged that the father-in-law and mother-in-law of her daughter has killed her by strangulating her and have thrown her dead-body in the field.

Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case. It is submitted that the husband of the petitioner was residing at Bombay working in factory as a labour and the deceased was living in village with her children. It is apparent from the F.I.R. itself that the petitioner is not living with the daughter-in-law are of the informant. It is further submitted that the petitioner is aged about 65 years and suffering from cancer and her treatment was going on at Mahavir Cancer Sansthan, Patna since 2018. There is no eye witness to the occurrence to support the case of the prosecution. After death of the informant's daughter, the petitioner and father-in-law are looking after three minor children of the deceased, whereas husband of the deceased is still working at Bombay.

6. Learned A.P.P. has opposed the prayer for bail of the petitioner.

7. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Ghoshi P.S. Case No. 549 of 2021 he shall be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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