

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.916 of 2024

Arising Out of PS. Case No.-1189 Year-2022 Thana- JAHANABAD District- Jehanabad

Lalita Devi D/o Kapil Yadav Resident of village Dangra Milki Par, P.S-
Jehanabad (Sikaria O.P.), District-Jahanabad at present village-Gurupatti
chak, P.S-Masaurhi, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Anita Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-01-2024 Heard Mr. Arvind Kumar, learned counsel appearing
on behalf of the petitioner and Ms. Anita Kumari, learned APP
for the State.

2. The petitioner seeks pre-arrest bail in connection
with Jehanabad (Sikaria O.P) P.S. Case No. 1189 of 2022 dated
17.12.2022 registered for the offence punishable under Sections
341, 323, 307, 326, 498(A)/34 of the Indian Penal Code and
later on Section 304(B) of the Indian Penal Code and Section
3/4 of the Dowry Prohibition Act was added.

3. As per the allegation made in the FIR, the petitioner
has been alleged to be involved in commission of murder of the
deceased, namely, Sweeti Kumari.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is sister-in-law of the deceased and she is married and residing separately in another village along with her husband. There is no specific allegation against her. Specific allegation of alleged commission of murder is against the husband of the deceased, namely, Guddu Kumar, who is in custody. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submission made on behalf of the parties, as well as, the fact that specific allegation of overt act is against the husband of the deceased, who had pour wine in the mouth of the deceased and set her on fire, which took her life. In absence of any direct allegation against the petitioner, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of her arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, in



connection with Jehanabad (Sikaria O.P) P.S. Case No. 1189 of 2022 dated 17.12.2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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