

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4499 of 2024

Arising Out of PS. Case No.-301 Year-2023 Thana- BYPASS District- Patna

Gunja Kumari @ Gunja Devi W/O- Rakesh Kumar R/O Mahuli Bagicha, Ps.-
Maner, Dstt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Bypass P.S. Case No. 301 of 2023, registered for the offences punishable under Sections 304(B), 328/34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a women and is married sister-in-law (Nanad) of the deceased. It is next submitted that whenever any dispute arises in between, the husband and the wife and the wife takes an extreme step or some occurrence takes place, in that event, the entire family members are implicated in a mechanical manner. It is also submitted no doubt that the



wife of the brother of the petitioner died but then the such death was suicidal as the deceased consumed poison but the Opposite Party No.2 taking advantage of the situation, instituted the instant F.I.R. with an allegation that all the accused persons including the petitioner poisoned her to death when admittedly informant is not an eye witness to the occurrence. It is also submitted that from perusal of the allegation in the F.I.R., it would manifest that when the informant reached the place of occurrence, he saw the dead body of his sister lying, which further demonstrate that the death was suicidal or else the family members would have made endeavours to dispose of the dead body. It is submitted at the cost of repetition that the petitioner is married sister-in-law of the deceased and has absolutely no concern with day to day life of her brother i.e., husband of the deceased.

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

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below 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 Additional Chief Judicial Magistrate – VIth, Patna City, where the case is pending/successor court in connection with Bypass P.S. Case No. 301 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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