

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38957 of 2025

Arising Out of PS. Case No.-06 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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Usha Devi W/o Bachchu Mahto Resident of village - Dariyapur, Police
Station - NTPC, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-06-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Complaint Case No. 490C of 2022, arising out of NTPC P.S. Case No.6/21, under Section 304B of the Indian Penal Code.

3. As per the prosecution, allegation against the petitioner and others is that they have assaulted the deceased by pouring kerosene oil and burnt her. The allegation of offence under Section 304B and other sections are there in the FIR.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the FIR has been lodged against the petitioner. Police after investigation submitted the final form. Thereafter a protest-cum-complaint has been filed and on the protest-cum-complaint cognizance has been taken by the Court against the petitioner. Thereafter, the petitioner has preferred anticipatory bail. Counsel submits that petitioner's antecedent is clean and the petitioner is an old aged mother-in-law of the deceased aged about 58 years. He submits that the death of the deceased has been caused not due to burn; rather due to accident, which was taken place much earlier from the date of filing the FIR.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that case is of 304B/34 of the Indian Penal Code against three named accused persons and petitioner is the mother-in-law of the deceased.

6. upon perusal of the record, it transpires that date of occurrence is 28.12.2020 and FIR has been lodged on 18.01.2021. It also transpires that in the inquest report the cause of death has been written road accident which was cut and thereafter written by burning. The police has filed final form. Subsequently on protest cognizance has been taken.



7. In the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Judicial Magistrate, 1st Class, Barh, Patna, in connection with Complaint Case No.490C/2022, arising out of N.T.P.C. P.S. Case No.6 of 2021, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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