

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74156 of 2024

Arising Out of PS. Case No.-126 Year-2024 Thana- JANDAHA District- Vaishali

Chintu Devi Wife of Chandan Sah R/O Mohalla- Jandaha, Purani Bazar, Ward
no. 4, P.S.- Jandaha, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Pandey, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 14-02-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Jandaha P.S. Case No. 126 of 2024 for the offence under Sections 302 and 34 of the I.P.C. lodged on 28.04.2024 by the informant, Rajesh Kumar.

3. As per the prosecution story, the informant alleged that he runs a jewellery shop in Jandaha Bazaar and on the fateful day, as he left the place whereafter his son also came out of the home and his wife was alone. Later, a cart-puller came to the house, knocked the door and found his wife dead. As he was informed about the incident by one Kishan Kumar that she has got electrical shock, he reached and saw the injuries as also burning of the skin by hot iron. Further, he had suspicion that Kishan Kumar had earlier responsible for the disappearance of the jewellery from his shop whereafter his son had removed him



that may be reason for alleged occurrence. Accordingly, the F.I.R.

4. Subsequently, Kishan Kumar (son of the petitioner) was apprehended and he narrated the entire story how after ascertaining that the informant as also his son left the place, he entered home to commit theft fully knowing that his aunt remains on the roof at that time. However, to his misfortune, she came down, caught him and as she tried to shout, he took the said iron and injured the lady whereafter by the wire of the electrical iron, she was throttled to death. The accused, Kishan Kumar thereafter hastily left the place. Everything was recorded in one of the CCTV where the police also found blood on the hand of Kishan Kumar whereafter he was apprehended and is now in custody.

5. Learned counsel for the petitioner submits that she being the mother, had no role to play and further, the father has been granted bail in Cr. Misc. No. 54076 of 2024.

6. Learned APP as also learned counsel for the informant jointly submit that the husband was granted bail and not anticipatory bail. The role of the mother has come as is reflected from the learned Sessions Judge order who has quoted the case diary to show that though the allegation of killing is on the son, she tried to protect him when he rushed back to home and subsequently, jewellery have also been recovered from the



house.

7. Learned counsel for the petitioner submits that the said jewellery belongs to the lady and is not the looted one.

8. The present petition is an anticipatory bail petition and the husband was granted bail, the allegation has come against the petitioner, though lady, as reflects from the different paragraphs quoted by the learned Sessions Judge.

9. In that background, it would be appropriate that the petitioner seeks bail.

10. The present anticipatory bail application stands rejected.

11. If, however, the petitioner surrenders within four weeks from today, the Court concerned shall take up the matter and it is expected that the same shall be disposed of on the same day without being prejudiced by any observation made in the present petition.

(Rajiv Roy, J)

Adnan/-

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