

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74114 of 2024

Arising Out of PS. Case No.-537 Year-2024 Thana- MASAUDHI District- Patna

Madhuri Devi Wife of Ramji Singh Resident Of Village- Sarwa, PS-
Masaurhi, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Kumar Pathak, Adv.

For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 29-01-2025 Heard Bijay Kumar Pathak, learned counsel for the
petitioner and Mr. Bharat Lal, learned APP for the State.

2. The petitioner apprehends her arrest in connection
with Masaurhi P.S. Case No. 537/ 2024 dated 26.06.2024
registered for the offence(s) punishable under Section(s) 302
read with section 34 of the IPC.

3. As per the prosecution's story, the informant,
mother of the victim, got an information on 09.06.2024 from her
son-in-law that her daughter had sustained burn injuries from
hot water and she was admitted in PMCH, Patna and when the
informant went to PMCH and met her daughter, she told her that
on 07.06.2024 at around 8 PM while she was cooking food, this
petitioner and her six daughters threw her on the gas stove as a
result of which, she sustained burn injuries. On 12.06.2024, the



victim died in course of the treatment.

4. The main submissions advanced by learned counsel for the petitioner are that admittedly, the petitioner is mother-in-law of the deceased and her age is 77 years in the present time and it is also an admitted position that the marriage of the deceased took place 12 years ago and during that period, no any legal action was taken by her parental family members regarding the alleged cruel behaviour on account of the deceased being not capable to give birth to a child, in fact, the deceased sustained burn injuries while cooking food and this fact has been supported by the independent witnesses during the investigation, who are neighbours of the petitioner. It is further submitted that petitioner's son, husband of the deceased, himself rushed the deceased to Masaurhi PHC from where she was referred to PMCH, Patna and as per the FIR, the informant got the information of the alleged occurrence on 09.06.2024 and on that day, she went to the hospital and got all the information relating to the occurrence but she remained silent and did not take any legal action and the deceased's statement was also not recorded and when she died on 12.06.2024, the informant proceeded to record her *fardbayan* making allegation of burning the deceased by the petitioner and her family members.



5. Learned APP appearing for the State has vehemently opposed the bail prayer of the petitioner and submitted that petitioner is the mother-in-law of the deceased and the deceased was being tortured by the petitioner and her other family members, including the husband of the deceased, on account of the deceased being not capable to give birth to a child and the deceased succumbed to burn injuries.

6. Having considered the seriousness of the allegation which relates to murder of the deceased and as per the allegation, she was set on fire by this petitioner and other accused persons, though, the informant did not record her *fardbayan* immediately after getting the information of the commission of the alleged occurrence but between 07.06.2024 to 12.06.2024, the deceased remained under treatment and after her death, her mother recorded her *fardbayan* and moreover, the case is under investigation, in my opinion, it is not a fit case for grant of anticipatory bail to the petitioner. Accordingly, her prayer stands rejected.

(Shailendra Singh, J)

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