

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74623 of 2024

Arising Out of PS. Case No.-51 Year-2024 Thana- SATHI District- West Champaran

Geeta Devi @ Geeta Kumari Wife of Late Mithilesh Sah Resident of Village-
Samhauta, P.S.- Sathi, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sharad Kumar Verma, Adv.
For the State	:	Mr.Arvind Kumar Pandey, (APP 84)
For the O.P. No.2	:	Mr. Aditya Nath Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 07-02-2025 Heard Mr. Sharad Kumar Verma, learned counsel for
the petitioner, Mr. Arvind Kumar Pandey, learned APP for the
State and Mr. Aditya Nath Jha, learned counsel for the
informant.

2. The petitioner apprehends her arrest in connection
with Sathi P.S. Case No. 51/ 2024 dated 24.03.2024 registered
for the offence(s) punishable under Section(s) 341, 323, 326,
307, 504, 506 read with section 34 of the IPC.

3. As per the prosecution's story, the informant went
to the parental house of his wife, the petitioner, on her request,
and thereafter he insisted his wife to return with him then,
firstly, petitioner and other co-accused caught hold of the
informant and thereafter forcefully took him inside their house



and thereafter, at the direction of the co-accused, Amit Kumar, this petitioner and the co-accused, Shambhu Sah brought a gallon containing petrol and thereafter, co-accused, Priyanka Devi, Shambhu Sah, Awadhesh Sharma and Amit Sah poured petrol on the body of the informant and set him on fire. The informant died four days after the recording his fardbeyan at G.M.C.H., Bettiah.

4. The main submissions advanced by learned counsel for the petitioner are that as per the FIR, the alleged incident took place on 16.03.2024 and the same is said to have taken place at the parental house of this petitioner and as per the deceased's own statement, which is the basis of the FIR, the police reached at the place of occurrence on that very day but the *fardbayan* of the deceased was recorded on 17.03.2024 and there is no explanation why the deceased's statement was not recorded immediately and further, there is no corroboration of the deceased's statement which is said to be his dying declaration. It is further submitted that the prosecution's allegation is completely unbelievable, in fact, the deceased set himself on fire and committed suicide on account of being frustrated as he suspected the petitioner's character and during the course of investigation, the factum of suicide was supported



by the independent witness, namely, Pankaj Kumar.

5. On the contrary, learned counsel for the informant has vehemently opposed the bail prayer of the petitioner and submitted that it is the petitioner who was mainly responsible for the death of the deceased and before death, the deceased's own statement was recorded in which he made direct allegation against this petitioner.

6. Considering the seriousness of the allegation appearing against the petitioner from the FIR, which is based on the deceased's own statement, and as per the allegation, the petitioner brought a gallon of petrol from her house and thereafter, other accused persons poured the petrol on the body of the deceased and set him on fire and 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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