

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85502 of 2024

Arising Out of PS. Case No.-69 Year-2023 Thana- GAYA MUFASIL District- Gaya

Shushila Devi Wife of Janardan Pathak Resident of Village- Bichchi, Bhadeji,
PS -Muffasil, District -Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kalandi Devi Wife of Late Shivendra Mohan Mishra Resident of Village-
Raghavpur, P.S.- Bihta, Distt.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhangi Pandey
For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 08-01-2025 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Gaya Mufassil Police Station Case No. 69 of 2023,
dated 19.01.2023, disclosing offences punishable under
Sections 307/326/498-A/34 of the Indian Penal Code.
Later on, Section 302 of the Indian Penal Code was added
on 24.02.2023.
3. The prosecution case, as per the First Information Report,
is that the petitioner, along with other co-accused persons,
used to demand Rs. 5,00,000/- by way of dowry from the
daughter of the informant, namely, Pooja Pathak (now,
deceased) and torture her mentally as well as physically.
On 18.01.2023, the petitioner, along with other co-



accused persons burnt the informant's daughter by pouring kerosene oil on her, due to which she died in the hospital.

- 4. Learned Counsel for the petitioner submits that the petitioner, aged about 81 years, is the mother-in-law of the deceased. He further submits that the petitioner has age related medical issue and she cannot walk without stick and it would be highly improbably for a lady, who even walk with the help of stick, to pour kerosene oil on the deceased and put her on fire, He further submits that the husband of the deceased is already in judicial custody.
- 5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is specific allegation against the petitioner and the husband of the deceased to burn the deceased by pouring kerosene oil upon her and the offence is serious in nature, I am not inclined to grant the petitioner privilege of anticipatory bail.
- 6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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