

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.24128 of 2013**

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Pramila Devi W/O Surendra Paswan Resident Of Village- Beni Ganjhar  
Tola Raghubir Bigha, P.S.- Tandwa, District- Aurangabad (Bihar)

.... .... Petitioner/s

Versus

The State Of Bihar

.... .... Opposite Party/s

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**CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA**

**ORAL ORDER**

3      30-09-2013

Heard learned counsel for the petitioner, learned Additional P.P. for the State and learned counsel for the informant.

The petitioner prays for grant of anticipatory bail in a case under Section 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is the Bhabhi of the husband of the deceased and there is no allegation in the FIR against her of having caused the death of the deceased lady. The only allegation against her is that she had illicit relation with the husband of the deceased.

It is also submitted that the husband of the deceased had himself received burn injuries on his hand, chest stomach and face which is stated in the FIR itself and it is thus urged by learned counsel that the petitioner has been wrongly roped in as an accused and she is entitled to be granted anticipatory bail specially considering the fact that she is a lady.

Learned Additional Public Prosecutor as also learned counsel for the Informant, on the other hand, submits that in the post mortem report it has been found that the death has been caused due to strangulation and not on account of burn injuries and thus the subsequent burning of the deceased lady which may have resulted in the said burn caused to the husband, can be of no benefit to the petitioner.

It is also submitted that it has come out during the course of investigation that the only persons present in the house at the time of the occurrence were the deceased, her husband and the petitioner and thus the petitioner appears to have played an active part in the occurrence.

On a consideration of the facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner. The application is, accordingly, rejected.

S.Pandey/-

**(Ramesh Kumar Datta, J)**