

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50744 of 2015

Arising Out of PS.Case No. -61 Year- 2015 Thana -BATHNAHA District- SITAMARHI

Shobhita Devi @ Sabita Devi, wife of Mukund Jha, R/o Village - Digghi,
P.S. - Bathnaha, District - Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. D.P.Tiwary(App)

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 10-11-2015 Heard Sri Ashok Kumar Jha, learned counsel for the
petitioner and Sri D.P.Tiwary, learned Addl. Public Prosecutor.

The petitioner, who is mother-in-law of the deceased
and in custody since 06.09.2015 in connection with Bathnaha P.S.
Case no.61 of 2015 registered for the offence under Section 304B
of the Indian Penal Code and Sections 3 and 4 of the Dowry
Prohibition Act, has prayed for grant of bail.

Learned counsel for the petitioner submits that in the
F.I.R., there was vague allegation. He submits that in the F.I.R., it
was alleged that the marriage was solemnised 6-7 years back and
no specific date has been mentioned, whereas during investigation,
witnesses have stated that the marriage was solemnized 7-8 years
back. He further submits that the deceased herself had committed

suicide by consuming poison. On the aforesaid ground, a prayer has been made for grant of bail.

Learned Addl. Public Prosecutor has opposed the prayer for bail. He submits that the witnesses have consistently stated regarding involvement of the petitioner, who was none else but mother-in-law of the deceased.

Keeping in view the fact that there is no specific date of marriage and also the fact that during investigation, the witnesses had asserted that the marriage was solemnized in between 7 and 8 years back, the Court is of the opinion that it is a fit case for extending the privilege of bail. Let the petitioner, Shobhita Devi @ Sabita Devi be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Bathnaha P.S. Case no.61 of 2015.

(Rakesh Kumar, J)

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