

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21329 of 2014

Arising Out of PS.Case No. -28 Year- 2004 Thana -DERNI District- SARAN

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1. Kunti Devi W/o Yogendra Rai Resident of Village- Dhane Chapra, P.S-
Derni, district- Saran (Chapra)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Krishna

For the Opposite Party/s : Mr. Ram Sumiran Rai (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

5 05-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends her arrest in connection with
Derni P.S. Case No. 28 of 2004 registered for the offences
punishable under Sections 304B, 498A, 201/34 of the Indian
Penal Code.

Allegedly, the petitioner being the Gotini of the
daughter of the informant along with others used to torture her due
to non-fulfillment of dowry demand as their demand for
motorcycle and gold chain has not been fulfilled and ultimately
they assaulted her and burnt her to death and disposed of the dead
body with a view to screen themselves from legal punishment.

Submission at the bar for grant of pre-arrest bail to

the petitioner is that the petitioner is the Gotini and she along with her family members are separate from the husband of the deceased for more than last 10 years and has nothing to do with their affairs. There is no specific allegation against her for demanding dowry, husband of the petitioner has already been granted regular bail by this Court and case of the petitioner is on better footing to which the learned APP opposes.

On perusal of the FIR and case diary it reveals that the petitioner is Gotini having no specific allegation rather in paragraph 2 of the FIR which is based on complaint petition specific allegation is against father-in-law and husband, and as such the petitioner Kunti Devi is directed to be released on anticipatory bail in the event of her arrest or surrender within one month from the date of receipt/production of a copy of this order on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Derni P.S. Case No. 28 of 2004, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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