

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36610 of 2014

Arising Out of PS.Case No. -11 Year- 2014 Thana -BHAGHA District-
WESTCHAMPARAN(BETTIAH)

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Jai Kumari Devi W/o Bhuneshwar Subba R/o village- Rampur, P.S.-
Bhangaha, District- West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

2 20-02-2015

Heard counsel for the petitioner.

Nobody appears on behalf of the State.

The petitioner is the mother-in-law of the informant and apprehends her arrest in connection with Bhangha P.S. Case No. 11/2014 instituted under sections 324 and 498-A IPC.

In course of investigation, the police found the case true against the petitioner under section 306 IPC. According to the informant (victim), the petitioner abused her and enraged thereby she poured kerosene oil on her body and tried to commit suicide. The husband of the petitioner rescued her and now she is being treated at the hospital.

The contention of the petitioner is that even going by the FIR, no allegation of mental or physical torture on account of

non fulfilment of dowry has been made out. The marriage was solemnized more than 12 years ago and the informant has two children of which the petitioner takes care. In course of investigation some evidence has also been collected that the informant was being treated of mental illness.

Regard being had to above, in the event of arrest/surrender within four weeks from today, the petitioner above named shall be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Sri D.K. Bhaskar Judicial Magistrate 1st Class, Bettiah, West Champaran in connection with Bhangha P.S. Case No. 11/2014 subject to the condition as laid down under section 438(2) Cr. P.C with further condition that one of the bailors shall be her own/close family member. In the event of framing of charge the petitioner shall appear on all dates before the court concerned. In case of default in doing so on two consecutive dates the trial court shall cancel her bail bonds.

(Kishore Kumar Mandal, J)

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