

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44153 of 2015

Arising Out of PS.Case No. -269 Year- 2014 Thana -GARDANIBAGH District- PATNA

1. Kamla Devi @ Kamla Debi W/o Sri Ajay Prasad R/o Chitkohara Basti,
P.S. - Gardanibagh, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Dr. M.K. Gautam (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 21-12-2015

Heard both sides.

The petitioner apprehends her arrest in a case under
Section 304B/34 of the Indian Penal Code.

The informant alleged that his daughter was
subjected to all sorts of torture due to non-fulfillment of demand
of dowry and she was killed. The informant further alleged that
the husband of her daughter disclosed that her daughter Soni had
some altercation with her mother-in-law. The informant alleged
that the accused persons poisoned her daughter to death. It is
submitted that the petitioner is the mother-in-law of the deceased.
The petitioner had no altercation with the deceased on the date of
occurrence or prior thereto. From the post-mortem report, it
would appear that the deceased had no external or internal injury

and viscera was kept reserved for examination by Forensic Science Laboratory. The case of the petitioner stands on the same footing as that of Ajay Prasad (the father-in-law of the deceased) and bothers-in-law. They have been granted anticipatory bail by an order passed in Cr. Misc. No. 26498 of 2015.

Taking into consideration that facts that the petitioner is the mother-in-law of the deceased and the husband of the deceased informed the informant about the fact that the deceased had some altercation with the petitioner on the date of occurrence but no external or internal injury is found on the body of the deceased in the post-mortem report and similarly situated co-accused have been granted anticipatory bail, the petitioner above named, in the event of her arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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, Patna in Gardanibagh P.S. Case No. 269 of 2014, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J)

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