

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18848 of 2016

Arising Out of PS.Case No. -275 Year- 2015 Thana -DARAUNDA District- SIWAN

Prabhawati Devi @ Prabhawati Kunwar W/o Late Jairam Singh Resident
of village - Pakri, P.S. M.H. Nagar, District - Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anita Kumari

For the Opposite Party/s : Mr. Sanjay Kumar (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

04/ 28-07-2016

Heard learned counsels for the petitioner

and the State.

The petitioner being the mother of the husband of the informant is apprehending her arrest in a case registered for the offences punishable under Sections 498A, 326/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act. Subsequently, section 307 IPC was also added.

The basic accusation is of torture for non-fulfillment of dowry demand when it is alleged against the petitioner that she poured kerosene oil on the body of the informant and the husband of the informant lit the fire.

It is submitted by learned counsel for the petitioner that the petitioner is an old lady and used to reside

separately from he husband of the informant and she has been roped in the present case simply because she is mother of the husband of the informant. The husband of the informant has been granted regular bail since the informant agreed to accept payment of Rs.1800/- per month from the husband.

Counsel for the informant submits that the accusation is specific against the petitioner.

Considering the thrust of accusation against the husband of the informant and petitioner being a lady, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Siwan in connection with Daraundha (M.H. Nagar) P.S. Case No. 275 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

DKS/-

(Dinesh Kumar Singh, J)

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