

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 44928 of 2016

Arising Out of PS.Case No. -328 Year- 2015 Thana -DINARA District- SASARAM (ROHTAS)

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Gita Devi W/o Raju Chaudhary, Resident of Village- Karaila, Police Station-
Dhansoi, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Raj Kishor Prasad, Advocate
For the State	:	Mr. Prem Kumar Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 18-10-2016

Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to
make necessary correction in paragraph-10 of the application with
regard to the name of the husband of the deceased. Let the same be
done during the course of the day.

The petitioner apprehends arrest in connection with
Dinara P.S. Case No. 328 of 2015 dated 10.10.2015 instituted under
Sections 304B/34 of the Indian Penal Code.

The allegation against the petitioner along with other
family members is of killing the daughter of the informant, who was
married to the brother of the petitioner, about one and a half years

ago, due to non fulfillment of demand of dowry.

Learned counsel for the petitioner submits that she is the married sister-in-law (*Nanad*) living far away in the District of Buxar whereas the incident happened in the District of Rohtas. It is submitted that even on the alleged date of occurrence, she was residing in her matrimonial home without being even remotely connected with the affairs of the deceased. It is submitted that the husband of the deceased i.e., the brother of the petitioner, is in custody. Learned counsel draws the attention of the Court to the order dated 24.08.2016 passed in Cr. Misc. No. 26598 of 2016, by which a co-ordinate Bench of this Court has granted anticipatory bail to the husband and parents of the petitioner.

Learned A.P.P. submits that there is allegation against the petitioner also. However, he is not in a position to controvert the submissions advanced on behalf of the petitioner.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bikramganj, Rohtas in Dinara P.S. Case No. 328 of 2015, subject to

the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J.)

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