

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27738 of 2016**

Arising Out of PS.Case No. -19 Year- 2016 Thana -SARE District- NALANDA (BIHARSHARIFF)

1. Surti Devi Wife of Bindeshwar Paswan Resident of Village- Sirsha, PS Sare District Nalanda.

.... .. Petitioner/s

Versus

1. The State of Bihar

.... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shashi Shekhar Sharma

For the Opposite Party/s Mr. Umeshnand Pandit

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

03/ 17.09.2016 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner happens to be mother-in-law of the deceased and is languishing in jail custody since 14.3.2016 in a case registered under section 304B/34 of the Indian Penal Code.

It is surprising enough that in the written report, informant did not disclose either date or year of the marriage of the deceased but even then the concerned officer-in-charge registered the case for the offence punishable under section 304B of the Indian Penal Code.

However, in course of investigation, informant claims that marriage of the deceased had taken place five years ago and after marriage, she gave birth to two children. The aforesaid fact goes to show that deceased was leading married life at her matrimonial home peacefully.

The death of deceased is other than normal circumstance

and in medical examination, it was found that cause of death of the deceased was asphyxia due to strangulation. However investigation against the petitioner has already been completed

Accordingly, petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda at Biharsharif in Sare P.S. Case no. 19/2016.

(Hemant Kumar Srivastava,J)



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