

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37997 of 2016

Arising Out of PS.Case No. -288 Year- 2016 Thana -BEGUSARAI TOWN District- BEGUSARAI

Savitri Devi, Wife of Yogendra Sah, resident of Village/Mohalla- Meerganj,
Ward No.-23, P.S.-Nagar (Town), District- Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner : Mr. Ajay Thakur, Advocate
Mr. Pravin Kumar, Advocate
For the State : Mr. Umesh Lal Verma, APP
For the Informant : Mr. Umesh Kumar, Advocate
Mr. Manish Prakash, Advocate

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 17-11-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State. Learned

counsel for the informant is also present.

The petitioner is apprehending her arrest in
connection with Begusarai Town P.S. Case No.288 of 2016 for
allegedly having committed the offence under Sections 304B
and 120B/34 of the Indian Penal Code.

Case diary in the present case was called for, which
has since been received.

Learned counsel appearing on behalf of the petitioner
submits that though there is an allegation against the petitioner,
who is the mother-in-law of the deceased, that she was



responsible for making the demand of dowry and used to torture the deceased, it has come on record that the mother-in-law used to say that she is not beautiful. It is further submitted that there is clear evidence during the course of investigation that the victim girl had committed suicide as the independent witnesses at paragraph 23 of the case diary has submitted that she had committed suicide and all the family members, including this petitioner, had tried to extinguish the fire, which she had ignited herself in the middle of the night. It is submitted in paragraph 23 of the diary that the independent witnesses have categorically stated that when they came to the house of the petitioner, she was found to be burning and all the family members had tried to pour the water to extinguish the same.

Learned counsel appearing on behalf of the informant submits that there was continuous demand of dowry and the petitioner had been instrumental in torturing her, which led to the suicide.

Learned counsel for the State with reference to paragraph 23 of the case diary submits that the independent witnesses have also stated that there were efforts by the family members to extinguish the fire. Moreover, the informatory

petition filed earlier had since led to a compromise and the petitioner and the victim girl had been living in Delhi but had come back home in the very recent past.

Having considered all facts and circumstances of the case and since the petitioner is a lady and that the evidence has come that she had participated in the rescue being made to recover the victim lady and extinguish the fire, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai, in connection with Begusarai Town P.S. Case No.288 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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