



IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58253 of 2015

Arising Out of PS.Case No. -38 Year- 2015 Thana -JAMOBAZAR District- SIWAN
=====

Kunti Devi wife of Jagarnath Ram Resident of Village -
Chotka Jagdishpur, Police Station - Jamo Bazar, District -
Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party/s : Md. Fahimuddin (A.P.P.)

=====

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 01-02-2016 Heard learned counsel, appearing on behalf of

the petitioner, and learned Additional Public Prosecutor,

appearing on behalf of the State.

 This application for grant of anticipatory bail
arises out of Jamo Bazar P.S. Case No.38 of 2015,
disclosing offences under Sections 304 (B)/34 of the
Indian Penal Code.

 The petitioner is the mother-in-law of the
deceased.



Learned counsel, appearing on behalf of the petitioner, submits that strictly speaking, no offence, under Section 304 (B) of the Indian Penal Code, is made out against the petitioner, on the basis of the *fardbeyan* of the informant inasmuch as there is no allegation that immediately before the occurrence there was any demand of dowry. He further contends that the petitioner being a lady, there is no chance of her tampering with the evidence or fleeing from the course of investigation or trial. It is stated at the Bar that the husband of the deceased is in custody.

In view of the submission, as above, this application is allowed. Let the petitioner, abovenamed, in the event of her arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Siwan**, in connection with **Jamo Bazar P.S. Case No.38 of 2015**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the police/Court, as the case may be, as and when required and in the

event of failure on her part to appear before the Court on two consecutive occasions, her bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

U		T	
---	--	---	--