

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8403 of 2016**

Arising Out of PS.Case No. -217 Year- 2015 Thana -RAJAUN District- BANKA

=====

Radha Devi, wife of Ashok Singh @ Ashok Saran Singh

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan(App)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2 19-02-2016

Heard learned counsels for the petitioner and the State.

The petitioner being mother of the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 304B, 34 of the Indian Penal Code.

Accusation is of killing the daughter of the informant within six years of marriage. It is alleged that though there was no demand of dowry by the husband but the husband and the petitioner used to assault the informant.

It is submitted by learned counsel for the petitioner that as per own admission of the informant there was no dowry demand, hence, the case does not come within the purview of section 304B of the Indian Penal Code. Moreover, the informant is not eye witness to the occurrence and there is no medical report on

record to suggest that the assault was made to the informant. It is further submitted that the post-mortem reflects no injury and the cause of death has not been ascertained. The viscera has been kept reserved. A statement to that effect has been made in paragraph 11 to the petition, which reads as follows:-

*"11. That the post mortem report also not showing clear reason for death rather the reasons for death kept reserves for chemical analysis and has been sent to F.S.L. Patna.*

Considering the aforesaid facts, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Banka in connection with Rajoun P.S. Case No.217/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Dinesh Kumar Singh, J)**

Ashwini/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|