

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23255 of 2016

Arising Out of PS.Case No. -158 Year- 2015 Thana -NARHAT District- NAWADA

1. Urmila Devi W/o Nawal Kishore Choudhary resident of village - Kusha,
P.S. Narhat, District - Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Pandey, Advocate

For the Opposite Party/s : Mr. Hirday Pd. Singh(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 04-08-2016

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner, who is mother-in-law of the deceased Sangita Kumari, apprehends her arrest in connection with Narhat P.S.Case No. 158/2015 registered for offence punishable under Section 304 (B)/34 of the Indian Penal Code.

The prosecution case is that the informant Dilip Choudhary lodged information before the police that Sangita Kumari @ Gauri, his daughter was married with one Uday Kumar Choudhary on 04.07.2014. Since after marriage the husband of his daughter and other in-laws tortured and assaulted for demand of dowry of Rs. One lac and five bhar gold and for non –fulfillment of the said demand on 01.12.2015 all the four accused persons



including the petitioner killed her by pressing her neck with rope and this fact he learnt from the family members of his daughter's sasural, who informed about illness of his son-in-law Uday Kumar Chaudhary but when the informant and his wife went to village Kusha to see Uday Kumar Chaudhary, they saw that Uday Kumar Chaudhary was well and dead body of their daughter Sangita Kumari @ Gauri was lying dead there.

It has been submitted by the learned counsel for the petitioner that she is innocent and has been falsely implicated in the aforesaid offence. It has been submitted that there was no demand for dowry and both the petitioner and husband were living a happy married life. He submits that no independent witnesses have supported the prosecution case and it was the deceased, who was depressed because she had not borne child and who committed suicide.

However, learned A.P.P. for the State submits that the petitioner is mother-in-law and named in the F.I.R., hence opposes the prayer for bail.

Be that as it may, let the petitioner, above named, who is mother-in-law in the event of her arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs.

10,000/- (Ten thousand only) with two sureties of the like mount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Nawada in connection with Narhat P.S.Case No. 158/2015, subject to the conditions as laid down under Swections 438 (2) of the Cr.P.C.

(Nilu Agrawal, J)

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