

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42183 of 2016

Arising Out of PS.Case No. -602 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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Shanti Devi

.... Petitioner/s

Versus

1. State of Bihar,
2. Yogendra Sah

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoranjan Kumar

For the Opposite Party/s : Mr. Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 27-09-2016

Heard learned counsels for the petitioner and the State.

The petitioner being wife of the elder brother of the husband of complainant's daughter is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 304B, 506 and 120B of the Indian Penal Code.

The prosecution case is that daughter of the complainant namely, Rani Kumari, was married with the brother of the husband of the petitioner, namely, Harendra Kumar on 29.6.2012. But, after the marriage, further demand for dowry was made including a piece of land at Patna. It is further alleged that first pregnancy of the complainant's daughter terminated and for the second time when she conceived, she was admitted to Shakuntala

Nursing Home by the husband of the petitioner on the complain of abdominal pain where the daughter of the complainant died on 24.10.2014 due to negligence of the petitioner.

It is submitted by the learned counsel for the petitioner that as per own admission of the complainant, the petitioner took the victim to the nursing home and she died in the nursing home. It is further submitted that after the death of the victim the complainant's family created havoc at the doctor's clinic which was published in the newspaper also. The accusation of demand of dowry is specifically alleged against the husband of the victim who used to reside in Madhya Pradesh. There is no accusation levelled against the petitioner either in the complaint petition or in the S.A. of the complainant.

It is submitted by learned counsel for the informant that due to negligence of the petitioner, the complainant's daughter died and the dead body was hurriedly disposed of.

Considering the fact that it is admitted case of the complainant that the victim died in a nursing home being admitted with the pregnancy complication and it was the complainant who informed the inlaws' house on the complain of abdominal pain by her daughter, 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 twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Patna, in connection with Complaint Case No. 602 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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