

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25341 of 2017

Arising Out of PS.Case No. -99 Year- 2016 Thana -KARAI PARSARAI District- NALANDA
(BIHARSHARIFF)

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1. Mahasundari Devi, W/o Shekhar Paswan, R/o Village- Abbupur, P.s.-
Karai Parsurai, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Sagar Suman
Ms. Nisha Singh
For the State : Mr. Vinod Shankar Modi
For the informant : Mr. Jay Shankar Prasad Singh

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

2 10-07-2017 Heard learned Counsel for the petitioner,

learned Counsel representing the informant and learned
Additional Public Prosecutor appearing on behalf of the
State of Bihar.

This application, for grant of anticipatory bail,
arises out of Karai Parsuarai Police Station Case No. 99 of
2016, disclosing offences under Section 304B/34 of the
Indian Penal Code.

The petitioner has filed this application since she
apprehends her arrest as mother-in-law of the deceased,
who has been made accused in the First Information
Report.



Learned counsel for the petitioner has submitted that there is no specific allegation against the petitioner of demand of dowry or any torture therefore. The allegation is vague and omnibus and there is no cogent material to support the allegation.

Learned Counsel for the informant has opposed the prayer and has submitted that this application has been filed by Mahasundari Devi, as mother-in-law of the deceased; whereas, according to the informant, name of mother-in-law of the deceased is Bhola Devi. This submission, he has made on the basis of the Voter ID, a copy of which is in his possession.

If the submission made on behalf of the informant is to be accepted, the informant cannot have any grievance against the release of this petitioner on anticipatory bail since neither Bhola Devi nor Mahasundari Devi has been, by name, made accused in the First Information Report and only mother-in-law of the deceased has been made accused in the First Information Report.

Considering the facts and circumstances, this application is allowed.

Let the petitioner, Mahasundari Devi, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond



of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Hilsa, in connection with Karai Parsurai Police Station Case No. 99 of 2016, 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.)

Prabhakar Anand/-

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