

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1331 of 2017

Arising Out of PS.Case No. -242 Year- 2016 Thana -JAKKANPUR District- PATNA

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Kanti Devi, W/o Late Satynarain Singh, R/o New Bagrahpur, P.S.-
Jakkahnpur, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Kumar, Advocate.

For the Opposite Party : Mr. Dr. Ajeet Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 16-03-2017 Heard both sides.

The petitioner apprehends her arrest in Jakkanpur P.S.
Case No. 242 of 2016 registered for the offences punishable under
Section 304(B) of the Indian Penal Code.

The brother of the deceased alleged that his sister was
married to Rohit Kumar on 25.11.2015. Rohit Kumar was working
as Clerk in Income Tax Department and he was posted at
Ahmedabad. Rohit Kumar was always assaulting and torturing his
sister due to non-fulfillment of demand of dowry. The informant
further alleged that Rohit Kumar and his mother took his sister to
Ahmedabad and killed her.

Learned counsel for the petitioner submits that the
petitioner is mother-in-law of the deceased. The petitioner never
went along with her son and his wife to Ahmedabad. The deceased



herself committed suicide and for that U.D. Case No. 6 of 2016 was registered at Ahmedabad. Anita Devi own sister of the deceased made her statement in U.D. Case No. 6 of 2016 (Annexure-4) in which she stated that her sister informed her on telephone that Rohit Kumar used to talk with another girl on phone and Rohit Kumar did not talk with her. Anita Devi further disclosed that her sister committed suicide after being frustrated by the behaviour of her husband.

Learned counsel for the informant as well as learned APP for the State vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that the informant also stated that the petitioner accompanied her son and daughter-in-law to Ahmedabad. Anita Devi also made her statement in paragraph-17 of the case diary and disclosed this fact, but from perusal of the records it appears that Pammi Kumari, the deceased went to Ahmedabad along with her husband. Pammi Kumari died in Ahmedabad and for her death U.D. Case No. 6 of 2016 was registered. In U.D. Case No. 6 of 2016 Anita Devi, non-else the sister of the deceased Pammi Kumari, did not make any allegation against the petitioner.

Considering the facts aforesaid and the fact that the petitioner is mother-in-law of the deceased, the petitioner above



named, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Patna in Jakkanpur P.S. Case No. 242 of 2016, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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