

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.869 of 2017

Arising Out of PS.Case No. -45 Year- 2016 Thana -ISHOPUR District- BHAGALPUR

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Smt. Chandrati Devi wife of Late Sriram Pandey, Resident of Village-Shrinagar, P.S. Issipur/ Barahat, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivjee Pandey

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 08-02-2017 Heard the learned counsel for the petitioner as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends her arrest in connection with Ishipur (Barahat) P.S. Case No. 45 of 2016 for the offences punishable under section 304 (B)/34 of the I.P.C and section 3/4 of the Dowry Prohibition Act.

Vibha Devi, the sister of the informant, was married to Chandan Pandey five years ago and out of the wedlock there is a son of four years but allegedly due to non fulfillment of demand of dowry by way of motorcycle and freeze the husband and other in-laws including the petitioner used to torture and assault her and ultimately she was burnt to death and her dead body was also made traceless.

Submission is of false implication and that the



petitioner is old mother-in-law, she is living separately since long from the deceased and her husband, the husband is already in custody, during investigation also no specific allegation has come against the petitioner, the deceased received burn injury at the time of cooking and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner is named in the FIR being mother-in-law.

In the facts and circumstances as stated above, considering that there is no specific allegation against the petitioner and as submitted she has been living separately since long and as such the petitioner, in case of her arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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. A.C.J.M-VIII, Bhagalpur in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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