

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39277 of 2017

Arising Out of PS.Case No. -133 Year- 2017 Thana -NABINAGAR District- AURANGABAD

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Leela Devi, W/o Shiv Singh, resident of Village- Lodipur, P.S.-
Nabinagar, District- Aurangabad (Bihar).

.... Petitioner.

Versus

The State of Bihar.

.... Opposite Party.

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Appearance :

For the Petitioner : Mr.

For the State : Mr.

For the Informant : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

5 14-12-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State as also the learned counsel for the informant.

The petitioner apprehends her arrest in connection with
Nabinagar P.S. Case No.133 of 2017 registered under Sections
304(B)/34 of the Indian Penal Code.

The accusation is that after two months of the marriage of
the deceased Neha Singh, the daughter of the informant, with
Dhiraj Kumar Singh, she was being tortured mentally and
physically for non fulfillment of cash Rs.75000/-, Pulser
Motorcycle and gold chain in dowry by her husband and other in-
laws. In the meantime, the daughter of the informant blessed with
a female child. On 21.05.2017 at about 05.00 A.M., the informant



received information by the father-in-law of his daughter about the serious condition of his daughter and admitting at the hospital. Thereafter, the informant along with his younger brother and co-villager Niraj Singh went to the matrimonial house of his daughter at Nabinagar and saw his daughter lying dead on a Chowki and sign of injuries on her neck, both hands and legs. The informant raised suspicion that his daughter has been killed by all the accused, named in the F.I.R., including the petitioner by pressing her neck for non fulfillment of the dowry demand.

Learned counsel for the petitioner submits that, in fact, the daughter of the informant after giving birth to a female child became ill and died regarding which the information was given to the informant but with an ulterior motive, the petitioner, who is mother-in-law, and her other family members have falsely been implicated in this case by the informant. Further submission is that in the post-mortem examination of the daughter of the informant, no external injury was found on her person, and cause of her death could not be ascertained. The husband of the deceased, the daughter of the informant, is already in custody since 27.05.2017.

In the F.S.L. Report of the deceased, the daughter of the informant, which was called for by this Court, no Metallic,



Alkaloidal, Glycosidal, pesticidal or volatile poison was detected.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender by her within six weeks from today, be enlarged on bail on her furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-I, Aurangabad, in connection with Nabinagar P.S. Case No.133 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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