

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48147 of 2017

Arising Out of PS.Case No. -90 Year- 2017 Thana -GOPALPUR District- BHAGALPUR

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Domni Devi Wife of Mahendra Sah, Resident of village- Singhia
Makandpur, Police Station- Gopalpur, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 02-01-2018 Heard the learned counsels for the petitioner and for
the State.

The petitioner who is the mother-in-law of the
deceased has sought bail in connection with Gopalpur P.S. Case
No. 90 of 2017 dated 10.05.2017 instituted for the offences under
Sections 304(B), 120(B), 506 and 34 of the Indian Penal Code.

From the records of the case, it appears that the
deceased was enticed away by the son of the petitioner viz.
Mithilesh Sah who is said to have married her without the consent
of her parents. Later, it was alleged that the petitioner and others
pressurized her for bringing Rs. 1 lakh additional dowry for the
purposes of being invested in business.

Learned counsel for the petitioner has submitted that



it does not appear to be probable that when the deceased was married to the son of the petitioner without the consent of her parents, any demand of dowry would be made. It has further been submitted that the post-mortem report does not reveal of any external or internal injury on the person of the deceased. A suspicion has been raised that perhaps the deceased might have been poisoned to death. The viscera has been sent to the FSL but the report has not yet come.

The husband of the deceased is in custody.

Regard being had to the fact that the petitioner is in custody since 11.05.2017 and that there is no specific allegation against the petitioner, this Court is inclined to grant bail to her.

In the facts and circumstances, the petitioner above named is directed to be released on bail on her furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, 1st Naugachia in connection with Gopalpur P.S. Case No. 90 of 2017.

(Ashutosh Kumar, J)

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