

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51249 of 2018

Arising Out of PS. Case No.-160 Year-2016 Thana- KESARIA District- East Champaran

Hira Devi Wife of Subhash Sah@ Subhash Prasad Resident of Village-
Bairiya Tola Lala Chapra, P.S. Kesariya, District- East Champaran.;

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Sri Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 498A, 341, 323, 304B of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner is of committing torture and assault and thereafter committed murder of the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.6.2018 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is mother-in-law of the victim. She has falsely been implicated in the present case due to petty family dispute. The petitioner is



separate in mess and property from the husband of the deceased. She has been made accused due to mistake of fact. The other co-accuseds have been granted bail vide Annexure-2 to the present application. It has been submitted that at best it is a case under Section 306 IPC.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 11th A.C.J.M., Motihari, East Champaran in connection with Kesariya P.S. Case No. 160 of 2016.

(Sudhir Singh, J)

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