

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24022 of 2018

Arising Out of PS. Case No.-109 Year-2017 Thana- CHANDAN District- Banka

Sita Devi wife of Damru Das resident of village - Kadarsa, P.S. Chanda,
District – Banka ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Brij Nandad Prasad, Adv.
For the Opposite Party : Mrs. Reena Sinha, APP 163

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-04-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner being mother of the husband of the deceased
is apprehending his arrest in connection with Chandan P.S. Case No.
109 of 2017 for offences punishable under Sections 304B/34 of the
Indian Penal Code and 3 and 4 of the Dowry Prohibition Act.

The prosecution case as per the fardbeyan of Pankaj
Kumar Das, the brother of the deceased, recorded on 06.08.2017 at
03.00 P.M. by Station House Officer, Chandan Police Station, Banka,
to the effect that on 06.08.2017 at 12.00 P.M. the informant came to
take his sister from her in-laws house on the occasion of Raksha
Bandhan, his brother-in-law demanded rupees one lakh and
motorcycle, in case of non-fulfillment of demand informant's sister
was not permitted to go. On this stand of brother-in-law of the
informant, the sister (deceased) of the informant asked him to return
alone. Thereafter, the informant got the information at 02.00 P.M.
that his sister has been killed and when he came to the house of the
in-laws of his sister, he found her dead.



It is submitted by the learned counsel for the petitioner that there is no specific accusation of demand of dowry against the petitioner and the petitioner is a lady. The victim committed suicide due to some tiff on the trivial issue with her husband.

The learned Additional Public Prosecutor submits that the name of the petitioner appears in the First Information Report.

Considering the accusation made in the First Information Report and the thrust of accusation is against the husband of the deceased, the prayer of the petitioner for grant of anticipatory bail is allowed, in the event of surrender/arrest of the petitioner, named above, before the Court below, within four weeks from today in connection with Chandan P.S. Case No. 109 of 2017 shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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