

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.302 of 2018

Arising Out of PS. Case No.-85 Year-2017 Thana- DEO District- Aurangabad

Mamta Devi, Wife of Balendra Yadav, Resident of Village- Kamardih, P.S.-
Deo, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha
For the Opposite Party/s : Mr. SRI ASHARAF ANSARI

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 09-02-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks anticipatory bail in connection with
Deo P. S. Case No. 85 of 2017 registered for the offences
punishable under Section 302/34 of the Indian Penal Code.

The allegation levelled in the written report of the
informant is that his daughter was married to one Balendra
Yadav in the year 2009, whereafter the accused persons kept on
demanding dowry and finally on account of non-fulfilment of
dowry, his daughter was murdered by the 'sasural' people.

The Learned counsel for the petitioner submits that as far
as the husband of the victim girl is concerned, he is in custody
and the petitioner herein is said to be the second wife of the said
Balendra Yadav. It is further submitted the petitioner does not



have any complicity in the alleged occurrence and the fact is that the victim girl was ailing since a long time and the entire family members pulled in their resources to get her treated, however, she could not survive. Referring to the postmortem report produced before this Court, it is submitted that there are no marks of external injury and the same does not suggest that the victim girl has been murdered. It has lastly been submitted that the petitioner has a clean antecedent.

Having regard to the facts and circumstances of the case, more particularly the fact that the husband is in custody, in the event of arrest or surrender within six weeks before the learned trial court the petitioner, above named, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Deo P.S. Case No. 85 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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