

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.65915 of 2018

Arising Out of PS.Case No. -409 Year- 2017 Thana -AHYAPUR District- MUZAFFARPUR

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Shail Devi, W/O Ganpat Sah, R/V- Sheikhpur, Dhab, P.S. Ahiyapur,
District-Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Man Mohan Kumar, Advocate.

For the Opposite Party : Mr. Sanjay Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 30-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending her arrest in a case for
the offence registered under Section 304(B) of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner killed the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the
petitioner. The petitioner has been made accused in the present
case due to mistake of fact. The petitioner is mother-in-law of the
deceased. She is separate in mess and property from the husband



of the deceased. The police has submitted charge sheet for an offence under Section 306 of the IPC. As far accusation under Section 304(B) of the IPC is concerned, the same was found false.

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

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-XIV-cum-A.C.J.M. XIII, Muzaffarpur, in connection with Ahiyapur P.S. Case No. 409/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

