

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54279 of 2017

Arising Out of PS. Case No.-125 Year-2014 Thana- SUGAULI District- East Champaran

Urmila Devi W/o Kishori Sah, R/o Village- Balwatia, P.S.- Sugauli, District-
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey
For the Opposite Party/s : Mr. SRI AJIT KUMAR

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 24-01-2018 The petitioner being the mother of the husband of the
victim has made 3rd attempt with a prayer for anticipatory bail in
a case registered for the offences punishable under Sections
304B, 201, 328 and 120B of the Indian Penal Code.

The accusation is of killing the daughter of the informant
after about one year of marriage for non-fulfillment of the
dowry demand by making assault and administering poison.

It is submitted by learned counsel for the petitioner that the
accusation of demand of dowry and torture is not specific
against the petitioner. Petitioner claims to be separate from the
husband of the victim. Petitioner is an old lady and the husband
of the victim namely, Sunil Sah and husband of the petitioner
namely, Kishori Sah have been acquitted by learned Additional
Sessions Judge-X, East Champaran at Motihari vide judgment



dated 08.10.2015 passed in Sessions Trial No. 365 of 2015/328 of 2015. Certified copy of the judgment has been brought on record as Annexure-3. It is further submitted that the said fact was not brought on record earlier due to the laches on the part of the counsel for the petitioner.

Considering the fact that the earlier two anticipatory bail applications of the petitioner were disposed of, this Court is not inclined to revise the earlier orders, but keeping in view of the fact that the husband of the victim and the husband of this petitioner have been acquitted and petitioner is an old lady, it is a case for consideration of prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Sugauli P.S. Case No. 125 of 2014 pending in the Court of learned Judicial Magistrate, Ist Class, East Champaran at Motihari.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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