

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52071 of 2018

Arising Out of PS. Case No.-200 Year-2017 Thana- IMAMGANJ District- Gaya

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Dhanwan Devi @ Dhani Devi W/o Dina Yadav, R/o Vill.- Alinagar, P.S.-
Imamganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-09-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending her arrest in a case registered
under Sections 498A, 304B, 201 and 120B of the Indian Penal Code.

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

It has been submitted on behalf of the petitioner that the
petitioner 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. She is separate in mess and
property from the husband of the deceased. She has been made
accused due to mistake of fact. In course of investigation in
paragraph 12 of the case diary, it has come that the deceased had



fallen ill and while she was being taken to hospital for treatment, she died on the way. The alleged occurrence is said to have taken place on 7.8.2017 and the complaint case was instituted on 23.9.2017. The said complaint case, later on, was instituted as an F.I.R. under Section 156(3) of the Cr.P.C. Delay in instituting the case has not been explained by the prosecution. Other co-accused has been granted vide Annexure-2 to the present application.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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 Sri G.N. Dubey, Judicial Magistrate, 1st Class, Sherghati, Gaya in connection with Imamganj P.S. Case No. 200/17, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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