

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69836 of 2018

Arising Out of PS. Case No.-654 Year-2017 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

Bindi Devi, W/O Kapleshwar Sahani, R/V- Chakanpur Dharmapur, P.S.
Muffasil, District- Samastipur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar No-1, Advocate.
For the Opposite Party : Mr. Kumar Virendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-11-2018 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 Sections 304(B)/34 of the IPC.

The prosecution story, in brief, is that on 03.11.2017,
daughter of the informant was married with one Rajan Kumar
one and half year ago and at the time of marriage, informant
gifted some item as per his capacity. After marriage, his
daughter was living at her *Sasural* and after some time, they
have started torturing and her mother-in-law(petitioner)
demanded one Motorcycle or Rs. 50,000/- in cash. But his
daughter told them that her father is not in position to fulfil the
demand. His daughter informed him through Mobile then the



informant went and tried to convince them. On 03.11.2017, all accused persons assaulted her which was informed by her and informant assured her that he will come tomorrow but at 5.00 P. M. one Kanhai Sahani informed him that his daughter committed suicide, than the informant alongwith his wife and son went to her *Sasural* where they found that her dead body was lying in the *Angan* of house on Cot. Therefore, informant raised suspicion that due to non-fulfilment of dowry they have assaulted her resulting, she committed suicide.

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 falsely been implicated in the present case. The petitioner is mother-in-law of the deceased. She is separate in mess and property from the husband of the deceased. The husband and father-in-law of the deceased have already been acquitted by the learned court below vide order dated 01.06.2018 passed by learned Additional Sessions Judge-Ist, Samastipur in Sessions Trial No. 101 of 2018.

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 5th A.C.J.M. Samastipur, in connection with Samastipur Mufassil P.S. Case No. 654 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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