

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.14919 of 2018**

Arising Out of P.S.Case No. -75 Year- 2015 Thana -MAHILA P.S. District- SIWAN

Manju Devi @ Reeta Devi @ Reeta, W/o Upendra Nath Tiwari, Resident of  
Village- Harihans, P.S.- Husainganj, District- Siwan.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dinesh Choudhary

For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

05/ 18-07-2018

Heard learned counsel for the petitioner, the

State and the complainant.

The petitioner, being the mother of the husband of the complainant, has renewed the prayer for anticipatory bail in a case registered for the offences punishable under Sections 498A, 406, 420, 323 and 307/34 of the Indian Penal Code.

The basic accusation is of inflicting torture for non-fulfillment of further dowry demand. It is further alleged that the accused persons withdrew Rs.1,50,000/- from the bank account of the informant on 26.05.2012 and purchased the land in their name. It is further alleged that the accused persons tried to cause burn injury to the informant.



It is submitted by learned counsel for the petitioner that the petitioner is the mother of the husband of the informant and accusation is not specific against her. Moreover, there is no injury report to suggest that any injury was caused to the informant. Moreover, the petitioner is ready to pay Rs.2,000/- per month from August, 2018 to the informant from joint family fund.

The earlier the anticipatory bail application of the petitioner was disposed of vide order dated 23.08.2016 passed in Cr. Misc. No. 42053 of 2015 since issue could not be reconciled between the parties.

Mrs. Premshila Pandey, learned counsel appearing for the informant submits that now the issue has been reconciled in terms to payment of Rs.2,000/- per month from August, 2018 for the education of her two children, she is not opposing the prayer for anticipatory bail of the petitioner.

Learned counsel for the petitioner submits that the issue has been reconciled on payment of Rs.2,000/- per month to the petitioner from August, 2018 by depositing the same in the account of the informant by second week of every succeeding month.

Considering the present stand of the



parties with a lurking hope that the issue may reconcile in future and at least, the present stand of the petitioner will save the informant from destitution and vagrancy, let the above named petitioner be released on anticipatory bail, in the event of his arrest or surrender before the learned Court below, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Siwan in connection with Siwan Mahila P.S. Case No. 75 of 2015, subject to the conditions laid down under Section 438(2) Cr.P.C.

The aforementioned payment will be subject to any order being passed in matrimonial, maintenance or any connected proceeding.

Three consecutive defaults in making payment will give liberty to the informant to file application for cancellation of the bail of the petitioner.

The present order, in no way, will preclude the parties to resolve the issue otherwise.

**(Dinesh Kumar Singh, J)**

DKS/-

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