

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6299 of 2019

Arising Out of PS. Case No.-99 Year-2017 Thana- BAKHTIARPUR District- Saharsa

Sita Devi, wife of Ram Bahadur Yadav, Resident of Village - Belwara Tola
Matkhorha, O.P. - Kanaria, P.S.- Bakhtiarapur, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner, being the mother of the husband of the
victim, is languishing in custody since 18.08.2018 in connection
with Bakhtiarapur P.S. Case No.99 of 2017 registered for the
offences punishable under Sections 304B and 34 of the Indian Penal
Code.

Prosecution case as per the written report of Bipin Kumar
Yadav submitted to S.H.O, Kaneria P.S. is to the effect that on
27.04.2017, someone informed the informant that his sister has
died. The informant went to the in-laws house of her sister and
found her dead body. It is alleged that all the in law family
members including the petitioner has killed the sister of the
informant for non-fulfillment of the dowry demand. Earlier also, a
case being Bhakhtiyarpur P.S. Case No.276 of 2015 was lodged for
the torture of non-fulfilment of the further dowry demand against



the in-law family members of the victim. It is also alleged that the husband of the victim has illicit relation with one Hema Kumari.

It is submitted by learned counsel for the petitioner that marriage was solemnized 6 years prior to the death and there is no accusation of demand of dowry against the petitioner rather the thrust of accusation against the husband, who is alleged to have illicit relation with one Hema Kumari and in fact the victim has committed suicide. It is further submitted that the husband of the petitioner has already been granted bail by a Co-ordinate Bench of this Court vide order dated 13.04.2018 passed in Cr. Misc. No..21745 of 2018.

Considering the fact that thrust of accusation is against the husband of the victim who has been granted bail by a Co-ordinate Bench of this Court and investigation has already been concluded, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.10000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Bakhtiarpur P.S. Case No.99 of 2017.

(Dinesh Kumar Singh, J)

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