

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9540 of 2019

Arising Out of PS. Case No.-300 Year-2018 Thana- RANIYATALAB District- Patna

Sushila Devi, W/o Krishna Yadav, Resident of Village- Raghunathpur,
Mathiya, P.S-Rani Talab, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parashuram Singh
For the Opposite Party/s : Mrs. Rina Sinha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-02-2019 Heard learned counsels for the petitioner and the
State.

The petitioner, being the mother of the husband of the victim is apprehending arrest in a case registered for the offences punishable under Sections 302/34 of the IPC.

The prosecution case got initiated with the filing of Complaint Case No. 1389C of 2018, by Chandrama Singh, which came to be registered as police case after being transferred under Section 156(3) of the Cr. P.C.

The prosecution case is to the effect that the daughter of the informant, Poonam Devi was married with Chandan @ Sunil in the year 2006. Thereafter, they were blessed with a female child and a male child. Subsequently, all the accused persons demanded further dowry of 10 kathas of land to be transferred in the name of daughter of the victim, namely



Saumya Kumari and due to non-fulfillment of the same, the victim was tortured by all the accused persons including the petitioner. It is further alleged that on 23.10.2018, the informant received an information that his daughter, Poonam Devi has committed suicide, whereupon he went to the in-laws house of his daughter and thereafter inquest report was prepared by the police and in the hospital, one application was prepared by the police which was ultimately registered as U.D. Case No. 02 of 2018.

It is submitted by learned counsel for the petitioner that admittedly the victim died after 12 years of her marriage and the accusation of further demand of dowry appears to be unreasonable, hence the accusation does not come within the domain of dowry demand. It is further submitted that U.D. Case No. 02 of 2018 was registered at the behest of the informant and subsequently for the occurrence of 23.10.2018, the complaint was filed on 31.10.2018, which came to be registered as a police case on 09.11.2018. Admittedly, the informant is not the eye-witness to the occurrence.

It is submitted by learned counsel for the petitioner that the petitioner is named in the FIR.

Considering the delayed filing of the complaint and



the petitioner being a lady, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned J.M.-1st Class, Danapur, Patna in connection with Rani Talab P.S. Case No. 300 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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