

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41595 of 2019**

Arising Out of PS. Case No.-1321 Year-2018 Thana- BEGUSARAI COMPLAINT CASE  
District- Begusarai

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TETARI DEVI Wife of Late Mishra Kumar Resident of Village - Rampur Parori East, P.O.- Banchauri, P.S. and District- Sitamarhi at present C/o - Pappu Kumar Charasia, Salauna, Bakhari Ward No. 17, House No. 30, North to the Railway Station, P.S.- Bakhari, District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Premlata Kumari Wife of Pappu Kumar Resident of Village - Rampur Parori East, P.O.- Banchauri, P.S. and District- Sitamarhi, At present C/O- Bishundev Mahto, Resident of Village - Pakdhi, P.S.- Birpur, District- Begusarai

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Chandan Kumar Kashyap  
For the Opposite Party/s : Mr.Rana Randhir Singh

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

4      27-09-2019                      Heard both sides.

The petitioner apprehends her arrest in Complaint Case No.1321 of 2018 registered under Section 498A of the Indian Penal Code and under Section 4 of the Dowry Prohibition Act.

The complainant alleged that after marriage, she went to her sasural but her husband and other in-laws started subjecting her to physical and mental torture due to non-fulfillment of demand of additional dowry. She further disclosed that she became pregnant but her mother-in-law and others assaulted her and also administered her medicine causing miscarriage of foetus.

The learned counsel for the petitioner submits that of course the complainant made allegation in the complaint



petition but prima facie case under Section 313 of I.P.C. is not made out. After inquiry, learned Judicial Magistrate found prima facie case only under Section 498A and under Section 4 of Dowry Prohibition Act against the petitioner and others. Petitioner is mother-in-law of the complainant.

Learned A.P.P. however opposed the prayer for anticipatory bail.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioner and the fact that petitioner is mother-in-law of the complainant, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Begusarai in connection with Complaint Case No.1321 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

Saurabh/-

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