

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59669 of 2019

Arising Out of PS. Case No.-76 Year-2019 Thana- DAWATH District- Rohtas

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PHULJHARO DEVI @ MOTIZHARO DEVI Wife of Vishwanath
Choudhary Resident of Village - Bahuara, P.S.- Dawath, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhinay Raj

For the Opposite Party/s : Mr.Jagdhari Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-09-2019 Heard both sides.

The petitioner apprehends her arrest in Dawath P.S.
Case No.76 of 2019 registered under Sections 302, 201, 34 of
the Indian Penal Code and Sections 3/4 of Dowry Prohibition
Act.

The informant, brother of the deceased, alleged that
his sister was done to death by her husband, father-in-law,
mother-in-law due to non-fulfillment of demand of dowry in the
night of 10.05.2019/11.05.2019.

The learned counsel for the petitioner submits that
petitioner is mother-in-law of the deceased. The deceased was
married with Rakesh Choudhary, the son of the petitioner, in the
year 2008. The deceased remained happily with her husband for



more than eleven years but on account of some dispute, she all of a sudden died and her dead body was cremated but the brother of the deceased lodged the case making false allegation of demand of dowry and torture. It is further submitted that after marriage, the deceased never complained any ill-treatment at the hands of the petitioner.

It appears that the marriage of the deceased with the son of the petitioner was solemnised in the year 2008 and deceased during her stay for about eleven years in her matrimonial house did not complain any ill-treatment at the hands of the petitioner(mother-in-law) but when she died, brother of the deceased lodged this case making allegation against the petitioner also.

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 deceased, 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 Addl. Chief Judicial Magistrate, Bikramganj, Rohtas in connection with



Dawath P.S. Case No.76 of 2019, subject to the conditions as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Prabhat Kumar Jha, J)

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