

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82840 of 2019

Arising Out of PS. Case No.-301 Year-2019 Thana- AKBARPUR District- Nawada

Shobha Kumari Wife of Binit Kumar, Resident of Village - Gopalpur, P.S.-
Akbarpur, Distt - Nawadah.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-12-2019 Heard both sides.

The petitioner apprehends her arrest in connection with Akbarpur P.S. Case No.301 of 2019, registered for the offence under Sections 304(B)/201/34 of the Indian Penal Code.

The informant, father of the deceased, disclosed that he got married his first daughter with one Amit Kumar in the year, 2003 and out of their wedlock, one son was born but she was killed in the year 2009 due to non-fulfilment of dowry. The informant further disclosed that after death of his first daughter, relying upon the father-in-law and mother-in law that his daughter had died due to illness, got his second daughter married with said Amit Kumar in the year, 2011 and out of their wedlock, one son and one daughter also born, but after some time father-in-law, mother-in-law and Gotini (sister-in-law)



started torturing for dowry and, ultimately, his second daughter was also killed due to non-fulfilment of dowry and after killing his daughter, her dead body was cremated.

Learned counsel for the petitioner submits that the petitioner is sister-in-law (Gotini) of the deceased and she has got no concern with the affairs of Amit Kumar and his wife. The petitioner is living separately. From the statement made by the informant himself, it appears that no father would marry his second daughter with same person after knowing the fact that his first daughter was killed due to non-fulfilment of dowry. The second daughter of the informant, as alleged, was killed after eight years of her marriage with said Amit Kumar and she was living happily and she also gave birth two children and no any complain was being made during eight years of her marriage with Amit Kumar.

Taking into consideration the facts aforesaid and the fact that the petitioner is sister-in-law(Gotini) of the deceased, 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/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount



each to the satisfaction of learned Addl. Chief Judicial Magistrate 1st Nawadah in connection with Akbarpur P.S. Case No.301 of 2019, subject to conditions, as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

nawalkrs/-

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