

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6058 of 2020**

Arising Out of PS. Case No.-163 Year-2019 Thana- SARMERA District- Nalanda

GUDDAN DEVI @ ANJALI DEVI Wife of Arbind Yadav Resident of
Village - Pachara, P.S.- Lakhisarai, Distt - Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 28-08-2020 Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Sarmera P.S. Case No. 163 of 2019 registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that this petitioner is the married sister-in-law (Nanad) of the deceased. In the First Information Report there is general and omnibus allegation that all the five accused persons had murdered the sister of the informant because the informant could not fulfill the demand of dowry.

It is the specific submission of learned counsel for the petitioner that so far as this petitioner is concerned, she is married in village Pachena under Lakhisarai Police Station where she is living with her husband and family separately. She has no concern with the



family of the deceased.

Learned counsel submits that in course of investigation police has not recorded statement of any independent witness as regards the living of this petitioner in her *sasural*. In the name of investigation, the I.O. has failed to contact any witness on point of presence of this petitioner in the village where the alleged occurrence took place.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner, however, considering the facts and circumstances of the case as also in view of the materials available in the case diary where this Court has noticed no independent witness coming to say that this petitioner was present in the village on the alleged date of occurrence and further that she was indulged in the alleged demand of dowry and other allegations, let the petitioner above named in the event of her arrest or surrender within a period of four weeks from today in connection with Sarmera P.S. Case No. 163 of 2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda at Biharsharif, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when



required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

avin/-sushma

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

