

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8208 of 2020

Arising Out of PS. Case No.-194 Year-2019 Thana- BANIAPUR District- Saran

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1. PUJA DEVI W/o Hareram Sah R/o village- Puchhari, P.S.- Baniapur, District- Saran at Chapra
 2. Amita Devi @ Amita Kumari @ Mala Devi@Anita Devi D/o Suresh Sah R/o village- Mahmadpur, P.S.- Bhagwanpur Hat, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh
For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-06-2020

The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and Shri Ram Sewak Choudhary, the learned APP appearing for the State.

The petitioners apprehend their arrest in connection with Baniapur P.S. Case No. 194 of 2019, for the offence punishable under Sections 304(b), 201/34 of the Indian Penal Code.

The case of the prosecution in brief is that the informant had married his daughter namely Gayantri Devi with Balram Sah in the year 2014, whereafter she had gone to her in-



laws place. Subsequently, the accused persons had started assaulting and beating the daughter of the informant on account of non-fulfilment of demand for dowry and subsequently, on 21.06.2019, the accused persons had killed the deceased victim lady on account of non-fulfilment of demand for dowry.

The learned counsel for the petitioners has submitted that the petitioners are sisters-in-law of the deceased victim lady and have got no role in the alleged occurrence. It is further submitted that the petitioners are innocent, have been falsely implicated in the present case and are having clean antecedent. It is further submitted that the fact is that the deceased victim lady was chased by a monkey and while fleeing away, she fell down from the roof of the house and sustained injury, whereafter she was taken to hospital, but she succumbed to her injury. It is further submitted that the funeral has taken place in presence of the brother of the deceased victim lady and at that moment of time, there was no protest by him. It is further submitted that similarly situated co-accused persons, who happen to be the father-in-law, mother-in-law and brother-in-law of the deceased victim lady have already been granted bail by a co-ordinate Bench of this Court vide order dated 18.12.2019 passed in Cr. Misc. No. 7752 of 2019. The learned counsel for the petitioners has also submitted that the



husband of the deceased victim lady has already been granted the privilege of provisional bail by the learned court below.

The learned A.P.P. appearing for the State has vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the parity of the case of the petitioners with that of the co-accused persons, who have been granted bail by a co-ordinate Bench of this Court, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the learned court below within a period of four weeks from today, the petitioners, above-named, shall be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-XI, Saran at Chapra in connection with Baniapur P.S. Case No. 194 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Mohit Kumar Shah, J)

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