

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10471 of 2020

Arising Out of PS. Case No.-318 Year-2019 Thana- BISFI District- Madhubani

SHILA DEVI W/o Chhedi Resident of Singhiya Got, P.S- Bisfi, Distt-
Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Advocate Mr. Ratnakar Jha, Advocate
For the informant	:	Mr. Dinesh Jha, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 02-03-2020 Heard learned counsel for the petitioner and learned counsel representing the Informant. Learned Additional Public Prosecutor for the State of Bihar is also present.

This application for regular bail arises out of **Bisfi P.S. Case No. 318 of 2019**, disclosing the offence under Sections 304(B)/34 of the Indian Penal Code.

The petitioner is the mother-in-law of the deceased. It has been argued that there is general and omnibus allegation of demand of dowry against all members of the family of the husband of the deceased. The marriage was solemnized on 17.04.2019 and she died on



19.10.2019.

Learned counsel for the informant has vehemently opposed the prayer for regular bail and has submitted that there being presumption of guilt of commission of an offence punishable under Section 304B of the Indian Penal Code, the petitioner should not be given the privilege of regular bail, considering the seriousness of the allegation.

Be that as it may, I find substance in submission made on behalf of the petitioner that the allegations of demand of dowry against family members of the husband of the deceased are general in nature. There is no specific allegation of any overt act against this petitioner who is in custody since 20.10.2019.

Considering the above, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand), with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate-I, Benipatti, Madhubani**, in connection with **Bisfi P.S. Case No. 318 of 2019**, subject to the condition that the petitioner shall present himself before the Police/Court, as the case



may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail Bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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