

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12618 of 2020

Arising Out of PS. Case No.-193 Year-2019 Thana- RAGHUNATHPUR District- Siwan

PUNITA DEVI, Female, aged about 35 years, Wife of Amit Singh, Resident of Village - Narhan, P.S.- Raghunathpur, Dist.- Siwan.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Ajay Kumar Tiwary, Advocate.
For the State	:	Mr.Dr.Mrityunjaya Kr.Gautam, A.P.P.
For the Informant	:	Mr. Niranjan Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 21-09-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

The petitioner is apprehending her arrest in a case for the offence registered under Sections 304 (B) and 34 of the I.P.C.

The prosecution story, in brief, is that the daughter of the informant, Jyoti Kumari, was married with co-accused Sanjeet Singh on 25.06.2018. After marriage, her husband co-accused Sanjeet Singh, father-in-law Sheojee Singh, Gotani



Punita Devi (petitioner), Nanad Rinku Devi started pressurizing her to bring Rs. 2,00,000/- and one Bullet Motorcycle and on her information, the informant and some others of his village persuaded the matter, but her husband and his family members never changed their attitude and his daughter was subjected to torture by her husband and his family members including the petitioner. It is further alleged that the mother of the informant died on 12.07.2019 and his daughter had come in *Saradh Ceremony* of his *Dadi*, but thereafter, his son-in-law took his daughter to his house on 23.09.2019 putting pressure upon her and on 28.09.2019, one information is received about the seriousness of his daughter, he immediately rushed to the *Sasural* of his daughter alongwith his brother, where he found that his daughter is lying dead on a *Palang*. It is further alleged that his daughter was certainly killed by her *Sasural* fellow for non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner happens to be the sister-in-law (*Gotani*) of the deceased and she is separate in mess and



property from the husband of the deceased. She has got no concern with the alleged occurrence and she is a lady. She has been made accused in the present case only for the reason that she happens to be the part of the family of the husband of the deceased. The father-in-law of the deceased has also been made accused in the present case who is aged about 73 years. In fact, the deceased is said to have committed suicide as per the knowledge of the petitioner since her marriage was done against her will. Hence, in such circumstance, no offence under Section 304 (B) of the I.P.C. is made out in the present case. The main allegation is against the husband of the deceased. As per the postmortem report also, she has died due to hanging.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R and general and omnibus allegation has been made against the petitioner.

Considering the facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-



VIII, Siwan, in connection with Raghunathpur P.S. Case No.193
of 2019, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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