

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12447 of 2020

Arising Out of PS. Case No.-191 Year-2019 Thana- MOHAMMADPUR District- Gopalganj

1. Sanju Kumari @ Sandhu Kumari, Daughter of Jagarnath Prasad
 2. Rajan Kumar, Son of Jagarnath Prasad
- Both are resident of Village - Kathariya, P.S.-Mahmadpur, District - Gopalganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Dhananjay Kumar Gupta, Advocate
For the Opposite Party	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 03-07-2020 Heard learned counsel for the petitioners and
learned counsel for the State via video conferencing.

It is submitted by the learned counsel for the petitioners that during pendency of the present application petitioner no.2, Rajan Kumar has already been arrested.

In view of the submission made above, his application for grant of pre-arrest bail is dismissed as infructuous.

By way of the present application, the petitioner no.1, Sanju Kumari @ Sandhu Kumari has sought for pre-arrest bail in connection with Mahammadpur P.S. Case No.191 of 2019 registered for the offences punishable under Sections 304B and 201 read with 34 of the Indian Penal Code.



Learned counsel for the petitioner submitted that petitioner no.1 is an unmarried sister of the husband of the deceased. She has been made accused in the instant case only because she is related to the husband of the deceased. There is no specific allegation against her that she demanded any dowry or subjected the victim to cruelty for non-fulfillment of dowry. It is further contended that having got roots in the society, the petitioner has got great stake in life. She is not likely to abscond or tamper with the evidence.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioner. He contended that the daughter of the informant was married on 30.05.2017 with brother of petitioner no.1 Ashok Prasad. She was being subjected to cruelty for non-fulfillment of demand of a car as dowry and ultimately, she was killed in her matrimonial home in the month of October, 2019 and her body was disposed of.

Regard being had to the totality of the facts and circumstances of the case, the petitioner no.1, an unmarried sister-in-law of the deceased, is directed to be released on bail in the event of her arrest or surrender in the court below on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with



two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Gopalganj in connection with Mahammadpur P.S. Case No.191 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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