

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12265 of 2020

Arising Out of PS. Case No.-296 Year-2019 Thana- BIKRAM District- Patna

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Krishna Devi W/o Late Sukul Prasad R/o Village, P.O. and P.S.- Bikram,
District- Patna (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajit Kumar, Adv.
For the State	:	Mr. Sanjay Kumar Singh, APP
For the informant	:	Mr. Navin Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 21-10-2020 Heard learned counsel for the petitioner and
learned APP for the State through video conferencing.

The instant application for anticipatory bail has been filed by the petitioner apprehending her arrest in connection with Bikram P.S. Case No.296 of 2019, registered under sections 304B, 302 and 34 of the Indian Penal Code.

As per allegation in the F.I.R., the sister of the informant was married to the son of the petitioner in December, 2015. It is stated that the accused persons started making demand of dowry and on the sister of the informant expressing inability of her parents, she was beaten up and tortured. On 7.9.2019 the informant got information that his sister was not well and on reaching her place, they found her dead with froth



coming out of her mouth. There was blue colour mark on her palm and sole.

It is submitted by learned counsel for the petitioner that the petitioner happens to be the old mother- in- law of the deceased. She is a widow aged about 75-80 years. Except for suspicion, no material has come in course of investigation to show that the sister of the informant was ever tortured by the petitioner. The petitioner being an old lady having no criminal antecedent, it is prayed that she be enlarged on bail.

The application for bail is opposed by learned APP for the State as also the learned counsel for the informant.

It is submitted by learned counsel for the informant that the petitioner happens to be the mother-in-law of the deceased who died within four years of her marriage. In course of investigation the witnesses have supported the prosecution case and visible blue mark which was sign of injury was seen on the palm and sole of the deceased. Further witnesses have stated that the relationship between the petitioner and the deceased were not cordial and the accused persons including this petitioner are the cause of death which as per postmortem report was asphyxia and suspected poisoning.

On query by the Court, both learned counsel for the



petitioner and learned counsel or the informant state that the husband of the deceased is in custody.

Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner, the material that has transpired in course of investigation, the age of the petitioner and the husband of the deceased being in custody, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of her arrest or surrender in connection with Bikram P.S. Case No.296 of 2019, she will be enlarged on bail 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.-VI, Danapur, subject to the conditions as laid down in section 438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

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