

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15389 of 2020

Arising Out of PS. Case No.-36 Year-2019 Thana- BANSHI District- Jehanabad

MUNNA DEVI @ MUNNI DEVI W/o Moti Paswan, Resident of Village -
Anua Kasturi Pur, Bhagwatipur, P.S.- Banshi, Dist.- Arwal.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Parul Prasad, Adv.

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 13-11-2020 Heard both sides through Video Conferencing.

The petitioner apprehends her arrest in Banshi P.S.
Case No.36 of 2019 registered under Sections 304(B), 201 and
34 of the Indian Penal Code.

The informant alleged that his daughter (deceased)
was married with the son of the petitioner but immediately after
the marriage, her husband, father-in-law, mother-in-law
(petitioner), sister-in-law and brother-in-law began to demand
Rs.50,000/-, a motorcycle and a gold ring as dowry. The
informant could not meet the additional demand of dowry. On
20.06.2019 the informant got information that his daughter was
done to death.

Learned counsel for the petitioner submits that the
petitioner is the mother-in-law of the deceased and the petitioner



never tortured her daughter-in-law. The deceased complained of chest pain and she died on the way while she was being taken to the hospital. The father-in-law of the deceased informed the informant and only thereafter the dead body was cremated but later on the father of the deceased filed a case making false and frivolous allegations against all the family members. It is further submitted that the father-in-law of the deceased has already been granted bail.

Learned A.P.P. opposed the prayer for bail.

It appears from perusal of the F.I.R. as well as the case-diary that the deceased was married with the son of the petitioner five years ago. It further appears from the record that the informant never complained about the demand of dowry and torture by the petitioner and other in-laws of his daughter. Although the informant alleged that in the year 2018, he filed a petition before the S.H.O. of Banshi P.S. but the S.H.O. of Banshi P.S. reported that no such petition is filed in the police station.

Taking into consideration the facts that the petitioner is the mother-in-law of the deceased and the deceased died after five years of her marriage, the petitioner, above named, in the event of her arrest or surrender before the learned court below



within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Banshi P.S. Case No.36 of 2019 (G.R. No.554 of 2019), subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Harish/-

U		T	
---	--	---	--

