

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16195 of 2020

Arising Out of PS. Case No.-318 Year-2019 Thana- RUPASPUR District- Patna

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1. Sudha Devi @ Smt. Sudha Devi Wife of Vijay Kumar Pandey @ Vijay Pandey Resident of Village - Akbarpur, P.S.- Akbarpur, Distt - Nawada.
 2. Anita Devi @ Anita Pandey Wife of Praveen Pandey Resident of Village - Akbarpur, P.S.- Akbarpur, Distt - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr.Adv.
Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 04-09-2020 Heard learned senior counsel for the petitioners and learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in Rupaspur P.S. Case No. 318 of 2019 registered for the offence under Sections 304 (B)/34 of the Indian Penal Code.

As per prosecution case, daughter of the informant was married with son of petitioner no. 1 in the year 2016 and after some time, all the in-laws members, including petitioners, started demand of dowry and due to non-fulfillment of the same, the daughter of the informant was subjected to cruelty and harassment, as alleged in the FIR. It is further alleged that on 14-07-2019, the informant came to know that his daughter has



committed suicide and to ascertain the fact, when the informant went to in-laws place of his daughter, he saw his daughter hanging from the fan and all the in-laws members were absconding.

It is submitted on behalf of petitioners that petitioners are innocent and have committed no offence. Petitioner no. 1 is mother-in-law and petitioner no. 2 is sister-in-law (*gotni*) of the deceased. It is further submitted that petitioners have no concern either with dowry demand or death of the deceased. In fact, the deceased has committed suicide by hanging from the fan, which was also seen by informant, and door of the room was locked from inside. It is further submitted that on bare perusal of *post-mortem* report, it appears that cause of death is asphyxia due to hanging.

Considering the aforesaid facts and circumstances as well as the fact that petitioners are ladies and as per *post-mortem* report, cause of death is asphyxia due to hanging, the anticipatory bail application is allowed.

In the event of arrest or surrender within a period of eight weeks from the date of receipt/production of copy of this order, let the above-named petitioners be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate - II, Danapur, Patna in connection with Rupaspur P.S. Case No. 318 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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