

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26322 of 2020

Arising Out of PS. Case No.-37 Year-2020 Thana- DHAMDAHA District- Purnia

SUDAMA DEVI W/o Anil Kumar Mishra Resident of Village-Bishanpur,
P.S.-Dhamdaha, District-Purnia.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Bhaskar Shankar
For the Opposite Party/s	:	Mr. A. L. Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-12-2020 Heard learned Senior Counsel for the petitioner and

learned Additional Public Prosecutor for the State, through

video conferencing.

This application, for grant of anticipatory bail, arises
out of Dhamdaha Police Station Case No. 37 of 2020, registered
for the offences punishable under Sections 304-B/34 of the
Indian Penal Code.

The allegation, as per the First Information Report, is
that the daughter of the informant (deceased) was married to co-
accused Rocky Mishra, on 03.03.2019 and after sometimes, all
the FIR-named accused persons, including this petitioner, being
the mother-in-law of the deceased, started demanding Rs.
3,00,000/-, as dowry, for opening a shop for her son and due to



non-fulfillment of the said demand, the petitioner, along with other accused persons, tortured the deceased, mentally as well as physically, in various ways. It has further been alleged that the informant anyhow managed to pay Rs. 1,00,000/-, but the accused persons continued to torture the deceased for payment of balance amount and on 22.02.2020, the informant got information that his daughter has been killed, he reached the matrimonial home of the deceased and found that the deceased has been killed by strangulation.

Learned Senior Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and she has falsely been implicated in this case. It has further been submitted that the deceased has committed suicide and there is general and omnibus allegation of demand of dowry. He further submits that the petitioner has no concern with the alleged occurrence inasmuch as she is living separately from her son, i.e. husband of the deceased.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is named in the First Information Report, there is specific allegation against the petitioner and other accused persons for demanding dowry and the deceased died



within seven years of her marriage and under Section 113-B of the Evidence Act, there is presumption against the petitioner, I am not inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	√	T	√
---	---	---	---

