

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25209 of 2020

Arising Out of PS. Case No.-34 Year-2020 Thana- KESARIA District- East Champaran

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MITHILESH DEVI Wife of Dinesh Patel Resident of Village - Khora, P.S.-
Kesariya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar
	:	Ms.Rashmi Jha
	:	Mr.Sharad Kumar Verma
For the Opposite Party/s :	:	Mr.Ajay Kumar Jha (APP)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-10-2020

Heard learned counsel for the parties.

This application for grant of regular bail arises out of Kesaria P.S. Case No. 34 of 2020 registered for the offence punishable under Sections 498A, 304B, 120B and 34 of the Indian Penal Code.

The petitioner is mother-in-law of the victim. It is alleged in the F.I.R. that the deceased, who was married to the petitioner's son in June 2019, was subjected to cruelty due to non-fulfillment of demand of dowry to the tune of Rs. 2,00,000/- and jewelry. The informant learnt on 28.01.2020 that her daughter had been killed by accused persons by strangulating her.



I have carefully perused the F.I.R., from which, it transpires that though there is allegation of demand of dowry, the same is completely vague. There is no specific allegation against the petitioner of having demanded dowry or participated in commission of the offence.

Considering the allegation in the F.I.R. and the fact that the petitioner is in custody since 29.01.2020, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Chief Judicial Magistrate, Motihari, East Champaran in connection with Kesariya P.S. Case No. 34 of 2020.

It is directed that the defect(s) in the application, pointed out by the Registry, must be removed within two months.

Since COVID-19 Pandemic situation is prevailing, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be



communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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