

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69666 of 2019

Arising Out of PS. Case No.-24 Year-2019 Thana- MANSOORCHAK District- Begusarai

Lalita Devi (aged about 55 years F) W/o Shri Nageshwar Mahto R/o Village-
Govindpur (Narayan Chowk), P.S.- Mansoorchak, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mrs. Sudha Ambastha, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP
For the O.P. No. 2	:	Mr. Ashok Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 06-03-2020

Heard learned counsel for the petitioner; learned
APP for the State and learned counsel for the informant, who
has suo motu appeared.

2. The petitioner apprehends arrest in connection
with Mansoorchak PS Case No. 24 of 2019 dated 08.03.2019
instituted under Sections 306/328/201/498A/34 of the Indian
Penal Code.

3. The allegation against the petitioner, who is the
mother-in-law of the informant and mother of the deceased, is
that she along with other family members had been torturing the
informant for dowry and because the husband was opposing
that, they had killed him by sharp-edged weapon and poison and



had cremated the body to destroy the evidence.

4. Learned counsel for the petitioner submitted that the allegation is unbelievable for the reason that if at all the petitioner was pressurizing the informant for dowry then the allegation that it was being threatened that the son would be remarried, are self contradictory for the reason that if the son was killed then there would have been nobody to remarry and get dowry. It was further submitted that the mother killing the son for no personal gain is absolutely unbelievable as no prudent man would ever believe such allegation, especially in the present facts and circumstances of the case and the story, as disclosed in the FIR itself. It was further submitted that the supervision note discloses that the petitioner had returned a day earlier from the house of his in-laws i.e., the informant and was under mental pressure and had committed suicide.

5. Learned APP, from the case diary, could not controvert the submissions of learned counsel for the petitioner.

6. Learned counsel for the informant submitted that the fact that the body was cremated without even informing the informant, who was the wife, clearly indicates that there was foul play.

7. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate 1st, Begusarai in Mansoorchak PS Case No. 24 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

Anjani/-

AFR/NAFR	
U	
T	

