

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65610 of 2019**

Arising Out of PS. Case No.-106 Year-2019 Thana- BUXAR INDUSTRIAL District- Buxar

ATWARIYA DEVI W/o- Rajkeshwar Ram R/o Village- Umarpur Diara, P.S.-
Buxar Industrial, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

3 05-03-2020 Heard learned counsel for the petitioner, informant
and the State.

The petitioner, being the mother of the husband of the victim, is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 365, 120B and 504 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case as per the written report of Yamuna Ram submitted before the S.H.O., Industrial Area Police Station, Buxar is to the effect that the informant's daughter Premsheela was married with co-accused, Umesh Ram, but subsequent to the marriage, there was further dowry demand of cash amount and due to non-fulfillment of the same torture was inflicted upon the daughter of the informant.



Subsequently, the daughter of the informant went traceless and during investigation, it transpired that the victim has been killed.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against husband of the victim and the petitioner is a old lady. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State after going through the case diary that the material collected during investigation clearly suggests that the petitioner facilitated the commission of offence. Moreover, the application for anticipatory bail on behalf of the similarly situated co-accused, Bishwanath Ram @ Bishwanath Das has been dismissed as withdrawn vide order dated 16.11.2019, passed in Criminal Miscellaneous No. 52294 of 2019 by a Co-ordinate bench of this Court.

Considering the nature of accusation and the manner in which the daughter of the informant has been killed, this Court is not inclined to enlarge the petitioner on anticipatory bail. However, The aforesaid facts constitute good ground for consideration of prayer for regular bail.



Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks, in connection with Buxar Industrial P.S. Case No. 106 of 2019, pending before the learned CJM, Buxar.

With the above observation, this application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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