

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30119 of 2020

Arising Out of PS. Case No.-43 Year-2020 Thana- HARNAUT District- Nalanda

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KHUSHI KUMARI Wife of Chandrahash Kumar @ Raushan Kumar
Permanent resident of Village - Poari, P.S.- Harnaut, District - Nalanda,
Presently residing at T-48, Ward No. 3 VTC Mahrauli, P.S.- Mahrauli, District
- South Delhi, Delhi - 110030.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Niranjan Pd. Singh, Adv.

For the Opposite Party/s : Ms. Pushpa Sinha APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-01-2021 Heard learned counsel for the petitioner and the learned
APP for State.

Petitioner apprehends her arrest in connection with
Harnaut PS Case No. 43 of 2020, instituted for the offence
under Section 304(B)/34 of the Indian Penal Code.

The informant's daughter has allegedly been done to
death for non-fulfillment of demand for dowry.

It is submitted by the petitioner's counsel that the
petitioner is the sister-in-law (*Gotani*) of the deceased. Both the
petitioner as well as the deceased were married into the family
and, therefore, the allegations to the extent that the petitioner's
complicity is concerned, is highly unreliable and improbable.
The petitioner along with her husband and one son has been



residing away from the matrimonial home of the victim i.e., at Delhi, where the husband of the petitioner was earning his livelihood. The submission is made on the basis of copy of *Aadhar* Card of the petitioner's husband which has been annexed and certificate to this effect issued by the Mukhiya, attached to the supplementary affidavit, filed by the petitioner. The submission is that merely by virtue of relationship, the petitioner has been implicated in this case though she has no concern with the affairs of the victim or husband or victim with her mother-in-law and other member of the family at the matrimonial home.

The learned APP has opposed the prayer for anticipatory bail.

Considering the aforesaid facts, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the court below, within four (04) weeks from today, she shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate 1st Class, Nalanda at Biharsharif, in connection with Harnaut PS Case No. 43 of 2020, subject to the conditions as laid down under Section



438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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