

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31598 of 2020

Arising Out of PS. Case No.-336 Year-2020 Thana- AGAMKUAN District- Patna

Prabhawati Devi, age about 45 years (Female), W/o Shyam Narayan Mahto,
resident of Village- Jaypur Dhanuki, P.S.- Agamkuan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishnakant Upadhyay, Advocate

For the Opposite Party/s : Mr. M.K.Nirala, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 08-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending her arrest in connection with Agamkuan P.S.Case no. 336 of 2020, registered under sections 304(B)/ 34 of the Indian Penal Code and sections 3/4 of the Dowry Prohibition Act.

As per allegation in the F.I.R., three accused persons including husband of the deceased as also this petitioner are alleged to have killed the daughter of the informant for dowry.

It is submitted by learned counsel for the petitioner that the petitioner happens to be the sister-in-law (*Gotani*) of the deceased who is living separately from the deceased and her husband. Admittedly, there are no eye witness to the occurrence nor any independent witness has supported the case against the petitioner. She is a lady and the husband of the petitioner has



been enlarged on regular bail by the learned court below, order of which is Annexure-2 to the supplementary affidavit. It is further submitted by learned counsel for the petitioner that the learned court below while granting bail to the husband of the petitioner has dealt with in detail the material, that has transpired in course of investigation.

The application for bail is opposed by the learned APP for the State.

In the fact and circumstances of the case and in view of grant of bail to co-accused husband of the petitioner, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of her arrest or surrender in connection with Agamkuan P.S.Case no. 336 of 2020, she will be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Patnacity, Patna subject to the conditions as laid down under section 438(2) of Code of Criminal Procedure.

B.Kr./-

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(Partha Sarthy, J)

