

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47607 of 2021

Arising Out of PS. Case No.-36 Year-2021 Thana- KONCH District- Gaya

BHAGWANIYA DEVI W/o Kamlesh Yadav @ Kamlesh Prabhakar Resident
of Village - Usash Deora, P.S.- Konch, Distt. Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Adv
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 21-12-2021 Let the defect (s) be removed within two weeks of
the complete start of the physical Court.

Heard the parties.

The petitioner is apprehending her arrest in a case
registered for the offences punishable under Sections
304(B), 201/34 of the Indian Penal Code.

Petitioner is mother-in-law of the victim of dowry
death. Husband of the victim is already in jail. Allegation is
general and omnibus against the family members of commission
of dowry death.

Learned counsel for the petitioner has relied on
Annexure-2 which is a document of partition wherein sons of
the petitioner got separated from the petitioner and all have got
different share in the property on 02.10.2015. Learned counsel



for the petitioner submits that in fact the petitioner is victim of over implication.

Learned counsel for the informant opposed the prayer for anticipatory bail on the ground that direct allegation is there against the petitioner also to be involved in getting the victim burnt to death for non-fulfillment of dowry demand.

Considering entire facts especially Annexure-2, let the petitioner, above named, who is a female, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Konch P.S.Case No.36 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned court below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without



permission of the learned Trial Court.

(Birendra Kumar, J)

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