

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36607 of 2020

Arising Out of PS. Case No.-165 Year-2020 Thana- MADHUBAN District- East Champaran

PATIYA DEVI WIFE OF LATE MUNSHI SAHANI RESIDENT OF
VILLAGE JITAURA KASABA TOLA, P.S.- MADHUBAN, DISTRICT-
EAST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-02-2021 Heard the learned counsel for the petitioner
and the learned APP for the State, Sri Ashok Kumar.

The petitioner seeks regular bail in connection with Madhuban P.S. Case No. 165 of 2020, registered for the offence punishable under Sections 498A, 304B, 34 of the Indian Penal Code, 1860 and Sections 3/ 4 of the Dowry Prohibition Act.

The allegation is regarding the accused persons including the petitioner herein, who is the mother-in-law of the deceased victim lady, having strangulated the deceased victim lady to death on account of non-fulfillment of the demand for



dowry.

The learned counsel for the petitioner has submitted that the petitioner is innocent, she has been falsely implicated in the present case, she is having a clean antecedent and she is languishing in custody since 04.06.2020. The learned counsel for the petitioner has further submitted that the husband of the deceased victim lady is going to surrender before the learned court below, hence, release of the petitioner be directed subject to the husband of the deceased victim lady surrendering before the learned court below. It is further submitted that as far as the petitioner is concerned, she is the mother-in-law and she has been roped in the present case merely on suspicion, however, she has got no role to play in the alleged occurrence.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the



petitioner and taking into account the materials available on record, I deem it fit and proper to direct for release of the petitioner on bail, from custody, subject to the husband of the deceased victim lady surrendering before the learned court below and proof thereof being submitted before the learned court below and further subject to such conditions as may be deemed fit and proper to be imposed by the learned court of 1st Class, Judicial Magistrate, Motihari, East Champaran in connection with Madhuban P.S.Case No. 165 of 2020.

The present petition stands disposed of with the aforesaid direction.

(Mohit Kumar Shah, J)

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