

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No. 40086 of 2020

Ramkali Devi, age-80 years, Gender-Male w/o Deonandan Mahto
Resident of village-Meenapur Balha, P.S.-Piparahi, District-Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rani Kumari age 24 year w/o Rakesh Kumar D/o-Chulhai Mahto, at present resident of village-Kharsan, P.S.Riga, District-Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Adv.

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 03-06-2021 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned A.P.P. for the State, Ms. Anita Kumari Singh.

This is an application for grant of anticipatory bail in connection with Complaint Case No. C1-938/18 registered for the offences punishable



under Section 323, 379 and 498A of the Indian Penal Code.

The case of the prosecution in brief is that the marriage of the complainant was solemnized with one Rakesh Kumar in the year 2012 as per Hindu Rites and Customs. It is alleged in the complaint that the accused persons including the petitioner herein, who happens to be the mother-in-law of the complainant, used to torture and harass the complainant on account of non-fulfillment of the demand for dowry.

The learned counsel for the petitioner submits that the petitioner is innocent, she has been falsely implicated in the present case and she is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner is the mother-in-law of the complainant and is 80 years of age, hence, it is not expected that she would harass or torture the complainant and moreover, a bare perusal of the statement of the inquiry witnesses would show that a general and



omnibus allegation has been leveled against the accused persons.

Per contra, the learned APP for the State, Ms. Anita Kumari Singh, has though opposed the prayer for bail but has not denied the fact that the petitioner is an old lady.

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 as also considering the fact that the petitioner is a 80 years old lady and a general and omnibus allegation has been leveled against her by the complainant, I deem it fit and proper to enlarge the petitioner above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Sitamarhi, in connection with Complainant Case



No. CI-938/18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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