

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4620 of 2021

Arising Out of PS. Case No.-39 Year-2020 Thana- RAHIKA District- Madhubani

Smt. Anita Devi Wife of Bishambhar Jha @ Bishwambhar Jha, Resident of
Village And P.O. - Saurath, P.S. - Rahika, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur, Adv.

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-11-2021 Heard.

The petitioner apprehends his arrest in connection with Rahika P.S. Case No. 39 of 2020, registered for the offence punishable under Sections 304-B/34 of the Indian Penal Code.

The accused persons are alleged to have killed the deceased victim lady on account of non-fulfillment of the demand for dowry.

The learned counsel for the petitioner submits that the petitioner, who is the sister-in-law of the deceased victim lady, is innocent, has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that the main accused i.e. the husband of the deceased victim lady has already surrendered before the learned court below on 4.8.2021 and is behind bars, hence no prejudice would be caused to the prosecution in case the petitioner is granted bail.



Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering the materials available on record as also taking into account the fact that the main accused i.e. the husband of the deceased victim lady is behind bars, and the petitioner is only the sister-in-law of the deceased victim lady upon whom a general and omnibus allegation has been levelled, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of four weeks from today before the learned court below, the petitioner, above -named, shall be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Madhubani, in connection with Rahika P.S. Case No. 39 of 2020, subject to the condition as laid down under section 438(2) Cr. P.C.

(Mohit Kumar Shah, J)

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