

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 7950 of 2021

Arising Out of PS. Case No.-148 Year-2020 Thana- MADHAURAH District- Saran

1. KAUSHALYA DEVI Wife of Ram Vinay Singh Resident of Village-Bahuwara Patti, P.S.- Madhaurah, District- Saran at Chapra.
2. Ram Vinay Singh Son of Late Radha Charan Singh Resident of Village-Bahuwara Patti, P.S.- Madhaurah, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmi Kant Sharma

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-12-2021 At the outset, it is submitted by learned counsel for the petitioner that during pendency of this application, petitioner no. 2, namely, Ram Vinay Singh has been arrested and, as such, he seeks permission to withdraw this application.

In view of the aforesaid submission, this application is dismissed as withdrawn.

As prayed for, learned counsel for the petitioner is permitted to make necessary correction in prayer portion of the petition.

Heard learned counsel for the petitioner no. 1 and learned APP for the State.

Learned counsel for the petitioner no. 1 is expected to



honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioner no. 1 apprehending her arrest in connection with Madhaurah P.S. Case No. 148 of 2020 instituted for the offence under Section 304B/34 of the Indian Penal Code.

This case relates to torture and harassment due to non-fulfillment of dowry demand and finally she was done to death.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is mother-in-law of the deceased. From perusal of paragraph 9 and 16 of the case diary, it is apparent that deceased is said to have committed suicide. No offence is made out under Section 302 IPC rather the offence is made out under Section 306 IPC. Husband of the deceased, namely, Tanmay Singh has already been granted anticipatory bail by a different co-ordinate Bench of this Court vide order dated 23.8.2021 passed in Cr. Misc. No. 3034 of 2021.

Learned APP for the State has opposed the prayer of bail.

Having heard learned counsel for the parties and considering the submission made on behalf of the petitioner, this



Court is inclined to enlarge her on bail. The petitioner no. 1, namely, Kaushalya Devi is directed to surrender in the Court below within a period of four weeks from today and in the event of her arrest or surrender in connection with Madhaurah P.S. Case No. 148 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 learned Chief Judicial Magistrate, Saran at Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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