

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14652 of 2021**

Arising Out of PS. Case No.-70 Year-2020 Thana- ASANWA District- Siwan

MUNNI DEVI @ MUNIYA DEVI Wife of Late Gama Yadav, Resident of  
village - Moglanipur, P.S. Assaon, District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ravindra Nath Dubey

For the Opposite Party/s : Mr. Mritunjaya Kumar Nirala

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

3      20-01-2022                      Heard the learned counsel for the petitioner and the  
  
learned Additional Public Prosecutor for the State through video  
conferencing.

The petitioner apprehends her arrest in connection  
with Assaon P.S. Case No. 70 of 2020 registered for offence  
punishable under sections 498(A), 304(B), 120(B)/34 of the  
Indian Penal Code and section 3/4 of the Dowry Prohibition  
Act.

As per FIR, the daughter of informant Sadhna Devi  
(deceased) was married to co-accused Satyendra Yadav, who is  
son of the present petitioner. As per allegation, the husband of  
the deceased was not satisfied with the dowry given at the  
occasion of his marriage. At the time of his marriage, he was



employed in Sashastra Seema Bal and demanded a 'four-wheeler' vehicle. He used to torture the deceased for non-fulfillment of dowry demand. The allegation against the present petitioner, who is mother-in-law of the deceased, is that she was behaving with the deceased like a maid servant and inflicting atrocities and used to utter that her father is "Bhikhmanga". The father of the deceased tried his best to pacify the matter, but the same could not be pacified by the matrimonial inmates. The deceased Sadhna Devi used to convey the information of infliction of atrocities to her by the matrimonial inmates. On 20.06.2020 at about 4:00 AM, the accused persons, after hatching conspiracy, caused death of the deceased by strangulation of her throat with rope.

The learned counsel for the petitioner has submitted that the present case does not come under the purview of Section 304(B) of the Indian Penal Code, as the elder son of the deceased is 10 years old and he born on 02.08.2010 as per his death of birth. He has also submitted that the other accused persons, namely, Laxman Yadav and Arun Kumar Yadav have been granted anticipatory bail by the coordinate Bench of this Court in Cr. Misc. No. 6994 of 2021, vide order dated 02.09.2021.



The learned APP has submitted that the specific allegation of torture has been attributed itself against the present petitioner that being mother-in-law, she treated the deceased as a maid servant and also inflicted atrocities by uttering remarks and calling Bhikhmanga to her father, whereas the allegation against the accused persons, who have been granted bail by the coordinate Bench of this Court, is general and omnibus in nature.

Considering the submissions of both the parties, the submission of learned APP appears to be true. There is specific allegation against the petitioner that she has tortured the deceased. As such, she is not entitled for privilege of anticipatory bail and accordingly her prayer for anticipatory bail is hereby rejected.

**(Nawneet Kumar Pandey , J)**

Mahesh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

