

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6931 of 2022

Arising Out of PS. Case No.-100 Year-2021 Thana- DINARA District- Rohtas

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Sirati Kunwar @ Shivrati Kunwar W/O Late Surendra Chaudhary Resident
Of Bhairodih, P.S. - Dinara, District - Rohtas.

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramashray Roy, Advocate
For the State	:	Mr. Tarkeshwar Nath Thakur, APP
For the Informant	:	Mr. Babu Nandan Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-09-2022 Heard learned counsel for the petitioner and learned

APP for the State as well as learned counsel for the Informant

and perused the case diary.

The petitioner is apprehending her arrest in a case
registered for the offence punishable under Sections 304(B) and
201/34 of the Indian Penal Code.

It is a case of dowry death due to non-fulfilment of
dowry demand as mentioned in the FIR.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He further
submits that the husband of the deceased being minor, released
on bail by Jubenile Justice Board, Rohtas. He further submits
that the petitioner is mother-in-law of the deceased. He further



submits that in para-10, 47 and 48 of the case diary, witnesses have stated that at the time of treatment, the husband of the deceased was present everytime and was taking care of during the course of treatment. He further submits that there is no direct evidence of participation against this petitioner. He further submits that other witnesses, who supported the prosecution case, are relatives of the informant. He further submits that the main responsibility is fixed upon the husband of the deceased and not against this petitioner. He further submits that the petitioner is 100% blind which is evident from Annexure-2 of this petition.

Learned APP appearing for the State and the learned counsel for the Informant have opposed the prayer for anticipatory bail and submit that from perusal of the postmortem report, it appears that the burn injuries are 45% and cause of death is due to asphyxia.

Considering the aforesaid submissions, let the petitioner, above named in the event of her arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-III,



Bikramganj at Rohtas in connection with Dinara P.S. Case
No. 100 of 2021, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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