

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11476 of 2022

Arising Out of PS. Case No.-13 Year-2020 Thana- SARAIYA District- Muzaffarpur

MINA DEVI WIFE OF BALDEV DAS R/O VILLAGE- DATTAPUR, P.S.-
SARAIYA, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 304B and 34 of the Indian Penal Code

As per the prosecution case, the daughter of the informant was married to the son of the petitioner. It is stated by the informant that he received information about his daughter having poured kerosene on her body and having lighted it as a result of which she died of burn injuries. The informant further states that her daughter was tortured by her husband, father-in-law as also the petitioner-mother-in-law for dowry which included the demand of a motorcycle.

It is submitted by learned counsel for the petitioner



that the petitioner happens to be the mother-in-law of the deceased. The allegations as leveled in the FIR are false and incorrect. There is an unexplained delay of about 18 days in lodging of the FIR. The husband of the deceased works somewhere in Gujarat. The petitioner has remained in custody for more than one year three months since 7.9.2021 and charge sheet has already been submitted in the case. She undertakes to cooperate in the trial.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR, there being specific allegation against this petitioner also of having tortured the daughter of the informant which led to the occurrence and death of the informant's daughter, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

At this stage it is submitted by learned counsel for the petitioner that as per oral instructions received, the husband of the deceased may be returning and surrendering in the learned Court below soon.

It goes without saying that if there is any change in the circumstances, the petitioner will be at liberty to renew her



prayer for bail in the learned Court below itself and in case the same is filed, the learned Court below will consider the same without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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