

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20293 of 2022

Arising Out of PS. Case No.-395 Year-2021 Thana- BHELDI District- Saran

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TARAMUNI KUWAR Wife of Late Kameshwar Baitha R/o Village -
Kishunpur, P.S.- Bheldi, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajiv Kumar

For the Opposite Party/s : Mr.Abhay Kumar

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 13-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Bheldi P.S. Case No. 395 of 2021 registered for the alleged offences under Sections 304(B), 120(B), 201 and 34 of the Indian Penal Code.

The prosecution case is that the petitioner and other co-accused persons committed murder of the daughter of the informant and made her dead body disappear. The occurrence took place in back ground of some dowry demand.

Learned counsel for the petitioner submits that



provision of section 304(B) is not attracted in this case. The death occurred after seven years of marriage. There has not been anything during this period of marriage to suggest that any dowry was demanded or the daughter of informant was tortured on account of demand of dowry. Rather the story of demand of dowry did not arise and three children have been begotten to the couple and no complaint has been made to the authorities regarding torture or cruelty either by the daughters of the informant or the informant himself. Learned counsel further submits that the husband of the deceased and his brothers are all in government service and the allegation of demand of dowry is patently false. Moreover, the husband of the informant has deposited Rs. 3 lakhs in the account of deceased and has also been running a deposit scheme in the post office @ Rs. 5000/- per month. Learned counsel further submits that in fact the deceased fell down from stairs and sustained injury in her head and she was brought to a local hospital for treatment from where she was referred to PMCH for further treatment and she died later on and her deadbody was cremated. Learned counsel further submits that there is no eye witness to the occurrence as alleged in the FIR and only general and vague allegations have been levelled against this petitioner and others. The petitioner is



70 years an old lady and she is in custody since 16.12.2021.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that the allegation against this petitioner is serious all that is of causing death of the daughter of the informant.

Having regard to the submissions made hereinabove and considering that the petitioner is the mother-in-law of the deceased and allegations are not specific and further considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Chapra in connection with Bheldi P.S. Case No. 395 of 2021, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond



of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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