

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30284 of 2022

Arising Out of PS. Case No.-192 Year-2021 Thana- KHAJAULI District- Madhubani

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Anita Devi, Wife of Lakshmi Paswan Resident of Village - Maniyaba, Ward
No.- 7, P.S.- Khajauli, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhakar Thakur, Advocate.

For the Opposite Party/s : Mr.Nagendra Prasad, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-08-2022 Heard Mr. Prabhakar Thakur, learned counsel

appearing on behalf of the petitioner and Mr. Nagendra Prasad,

learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

Let the supplementary affidavit filed on behalf of the
petitioner be kept on the record.

The petitioner seeks regular bail in connection with
Khajauli P.S. Case No. 192 of 2021 for the offence punishable
under Sections 304B and 302/34 of the Indian Penal Code.

Allegation against the petitioner is that she along with
all the family members demanded dowry and on non-fulfillment
of demand of dowry, daughter-in-law of the present petitioner



(sister of the informant) was done to death.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and she has falsely been implicated in this case. She is the mother-in-law and the allegation of demand of dowry is against her son. The death of the sister of the informant took place just after six months of the marriage. The petitioner has no concern with the affairs of her son and she is separate in mess and business with her son much before his marriage. Petitioner is in custody since 20.11.2021 for no fault.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

Considering the aforesaid submission made on the behalf of the petitioner and in view of the specific statement made in Para-4 of the supplementary affidavit filed on behalf of the petitioner that the petitioner and her son who used to live along with her daughter-in-law were separate in mess and business much before the marriage of her son and as such involvement of the present petitioner in the alleged murder of her daughter-in-law cannot sustain and the petitioner was not even present at the place of occurrence, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond



of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Madhubani in connection with Khajauli P.S. Case No. 192 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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