

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32114 of 2022

Arising Out of PS. Case No.-85 Year-2021 Thana- NAYA RAM NAGAR District- Munger

KUNDAN DEVI WIFE OF RAMPRAVESH PASWAN R/O VILLAGE-
KALARAMPUR, P.S.- NAYA RAMNAGAR, DISTRICT- MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh
For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 21-10-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the State
through Video Conferencing.

Petitioner seeks regular bail in Naya Ramnagar P.S

Case No. 85 of 2021 registered for the offence punishable under

Section 304B/34 of the Indian Penal Code.

As per allegation, accused persons including the

petitioner used to quarrel with the deceased and assault her and

the informant was informed through phone and when she

reached the house of her daughter, she found her dead.

The main submissions advanced by learned counsel Shri

Ajit Kumar Singh appearing for the petitioner are that petitioner



is mother-in-law of the deceased and has been languishing in jail since 17.5.2021, in fact, deceased committed suicide on some domestic dispute with regard to a mobile phone and when the door of the deceased's room was found bolted from inside then the same was broken and petitioner's family members and others entered into the deceased's room through a window and found the deceased hanging and the said fact has been supported by the co-villagers during investigation in their statements. Further submission is that after happening of the alleged occurrence, husband of the deceased immediately informed the prosecution party about the incident and the said fact has been supported by the informant in her re-statement. Further submission is that in the FIR, it has not been alleged that the deceased was subjected to any kind of cruelty with regard to demand of dowry.

Sri Rajendra Singh, learned APP appearing for the State has opposed the prayer for bail.

In view of the above submissions and considering the petitioner's custody period and also the fact that in the FIR there is no allegation of dowry demand and the statements of some witnesses mentioned at para 31 of the case diary go against the allegation made in the FIR and according to them



body of the deceased was found hanging and at that time room of the deceased was found bolted from inside and the said witnesses also supported petitioner's defence as to a domestic dispute having occurred between deceased and her husband in respect of a mobile phone and also the fact that investigation has been completed against the petitioner, in the opinion of this court, a lenient approach can be taken in respect of the petitioner. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Munger in Naya Ramnagar P.S Case No. 85 of 2021.

(Shailendra Singh, J)

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