

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42126 of 2021

Arising Out of PS. Case No.-39 Year-2021 Thana- NAANPUR District- Sitamarhi

ANITA DEVI W/O LATE BIRENDRA SHARMA R/O VILLAGE-
CHAUPAR KHURD GAURA, WARD NO 18, P.S-NANPUR, DISTRICT-
SITAMARHI, STATE-BIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Senior Advocate
Ms. Preety Kunwar
For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 21-04-2022 Heard learned Senior Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Nanpur Police Station Case No. 39 of 2021, registered for the
offence punishable under Sections 498-A/304-B/34 of the
Indian Penal Code.

It is a case of dowry death and the petitioner is the
mother-in-law of the informant's daughter (deceased). The
marriage of the deceased and the son of the petitioner, Devbrat
Kumar @ Sonu Sharma, was solemnized on 26.06.2020. The
allegation is that after the marriage, the petitioner and co-
accused Devbrat Kumar, husband of the deceased, started
demanding one motorcycle as dowry and due to non-fulfillment



of the said demand, the deceased has been killed.

Learned Senior Counsel for the petitioner submits that the petitioner is the widow mother-in-law of the deceased and has not committed any offence in the manner alleged. He further submits that from perusal of the First Information Report, it would be evident that on the date of occurrence, the deceased had a talk with her father and had told her father that everything was alright. However, in the night at about 11:30 PM, the informant received a phone call through his son-in-law that his daughter has been killed by the accused persons and her dead body was kept in her matrimonial home. He further submits that the cause of death of the deceased has not been ascertained by the doctor in the post mortem examination report and there is no allegation that in the close proximity of the time, the petitioner demanded dowry and tortured the deceased. He further submits that the husband of the deceased is already in custody. He further submits that the petitioner is in custody since 14.02.2021 and charge sheet has been submitted and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties and taking into consideration the materials



on record and the fact that the petitioner is the widow mother-in-law of the deceased, she is in custody since 14.02.2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sitamarhi, in connection with Nanpur Police Station Case No. 39 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

