

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33541 of 2022

Arising Out of PS. Case No.-480 Year-2021 Thana- RAXAUL District- East Champaran

SALONI DEVI @ SALONI KUMARI Wife of Pushpendra Kumar Resident of Village - Pokhariapir Attardah Mahatma Gandhi Colony Lane No.- 1, P.S.- Sadar, Dist.- Muzaffarpur. Maiky R/v Koriya Tola, Ward No.- 24, P.S.- Raxaul, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Arun Kumar, A.P.P

Mr. Madhurendra Kumar Avinash, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-11-2022 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 363, 365, 498A, 304B, 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a woman and the informant alleges that Vivek performed love marriage with her daughter (Rani), further after marriage the accused persons including the petitioner started demanding Rs. 5,00,000/- as dowry, further they have disappeared her daughter, thus alleges that she might have been killed.

Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case, it is next submitted that the marriage between Vivek and Rani was a love marriage and as such allegation of demanding dowry is nothing but a figment of imagination of the informant, it is next submitted that petitioner is married to Pushpendra Kumar who is a resident of District of Muzaffarpur and thus is not staying with Vivek. It is next submitted that no doubt within one year of marriage, the wife of Vivek died as a result of which the petitioner along with her family members also came to be implicated.

Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner. Learned counsel for the informant submits that the dead body of Rani in pieces was found in drain and during the course of investigation, it has come that the petitioner along with other accused persons had helped Vivek in disposing of the dead body, it is thus submitted that the offence is heinous.

Learned counsel for the petitioner rebuts the submission of the learned counsel for the informant and submits that petitioner is not evading the law rather she will cooperate in the investigation and will present herself as and when required by the Investigating Officer for eliciting the truth as even



petitioner is interested in knowing that how her sister-in-law died.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Raxaul P.S. Case No. 480 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, in the event, if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting herself when called, the learned Trial Court after hearing the petitioner shall pass orders in accordance with law and will have liberty to cancel the bail bonds.

The Trial Court is directed to send a copy of this Order to the concerned P.S.

(Satyavrat Verma, J)

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