

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46195 of 2021**

Arising Out of PS. Case No.-141 Year-2021 Thana- MANJHAGARH District- Gopalganj

AMRITA TIWARI W/o SANTOSH TIWARI R/o VILLAGE-
JAGARNATHA, P.S-MANJHAGARH, DISTRICT-GOPALGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Setu Prateek, Advocate
For the Opposite Party/s	:	Mr.Pawan Kumar Chaurasia, APP
For the Informant	:	Mr.Ashar Mustafa, Advocate

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 13-07-2022 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 366 and 34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.

The informant alleges that his daughter was married with Vivek Kumar @ Munna Kumar on 24.04.2020, thereafter both of them were living as tenant in the house of the petitioner, further the brother of the petitioner, namely, Manoj Tiwari and other accused persons used to come regularly in the said house and when the informant had gone to meet his daughter, the aforesaid accused persons along with Navin Kumar were there



and all of them did not allow the informant to meet his daughter till dowry demand of Rs. 4 lakhs is not fulfilled. After a few days the informant alongwith villagers went to meet his daughter but the house was locked, the accused persons were absconding and when he tried to contact them on their mobile, the mobile was found switched off thus alleges that his daughter might have been killed for non-fulfillment of dowry demand.

Learned counsel for the petitioner submits that petitioner is a woman having clean antecedent and from bare perusal of the allegation as alleged in the F.I.R. it would manifest that the daughter of the informant was married to Vivek Kumar and both of them were staying as tenant in the house of the petitioner, further it was the brother of the petitioner who is alleged to have been visiting the daughter of the informant regularly along with other accused persons and it were they who demanded dowry and did not allow the informant to meet his daughter. It is next submitted that the F.I.R. does not even remotely raises any suspicion against the petitioner in the offence except the fact that the victim along with her husband was staying as tenant in her house. Learned counsel further submits that petitioner is distantly related to Vivek Kumar and it is the husband who is responsible if any



occurrence had taken place with his wife. The husband is in custody.

Learned A.P.P. for the State and the learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner but are not able to meet the submission of the learned counsel for the petitioner that in the F.I.R. not even remote suspicion against the conduct of the petitioner has been raised that she might have also been involved in the occurrence.

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 Court below 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 court below where the case is pending/successor court in connection with Manjhagarh P.S. Case No. 141 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

