

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.47023 of 2021**

Arising Out of PS. Case No.-388 Year-2019 Thana- SHIVSAGAR District- Rohtas

Kishmatiya Devi @ Kismato Devi W/o Rajeshwar Singh @ Gorakh Singh  
Resident of Village - Semari, P.S.- Sheosagar / Shivsagar, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajanikant Mishra, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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

3      01-02-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Shivsagar P.S. Case No. 388 of 2019 instituted for the offences under Sections 304B and 34 of the Indian Penal Code. Learned counsel for the petitioner submits that police after investigation submitted charge-sheet under Section 306 of the I.P.C.

Learned counsel for the petitioner submits that the petitioner is in custody since 19.02.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the informant alleges that he received information on 11.12.2019 at 12 o'clock that his sister has been killed, accordingly the police station was informed and when the police reached the place of



occurrence, the door was found closed and all the inmates of the house had fled, thereafter the police got the door opened and found the dead body of the deceased in a lying position on the bed and deliberately a rope was tied with the fan accordingly it is alleged that the named accused persons including the petitioner had killed his sister for dowry.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, she is the mother-in-law of the deceased and the allegations are general and omnibus in nature as the F.I.R. does not even disclose that what was demanded by way of dowry which further goes to show that the informant with an ulterior motive has implicated the petitioner and her family members excluding the husband of the deceased. Learned counsel further submits that the police after investigation has submitted charge-sheet under Section 306 of the I.P.C. which amply demonstrates that she committed suicide, it may be a case that suicide was abetted but then the responsibility lies with the husband of the deceased who has not been made an accused in the present case.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody



since 19.02.2021, charge-sheet has been submitted in the case, petitioner is a person with clean antecedent and is the mother-in-law of the deceased, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sasaram at Rohtas in connection with Shivsagar P.S. Case No. 388 of 2019.

**(Satyavrat Verma, J)**

Rishi/-

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