

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38607 of 2022

Arising Out of PS. Case No.-49 Year-2022 Thana- GURARU District- Gaya

Chandrawati Devi W/o Baikunth Sao Resident of Village - Rukun Pur, P.S.-
Guraru, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vinod Kumar, Advocate
For the State	:	Mr. Kalyan Shankar, APP
For the Informant	:	Mr. Nitya Nand Neeraj, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 02-11-2022 Heard learned counsel appearing on behalf of the
petitioner, learned counsel appearing on behalf of the State and
learned counsel appearing on behalf of the informant.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Guraru
P.S. Case No. 49 of 2022 registered for the offence under
Sections 341, 323, 326, 307 and 120(B) of the Indian Penal
Code and later on Sections 498(A) and 304(B) of the Indian
Penal Code and Section 3/4 of the D.P. Act were added
subsequently.

The accused/petitioner is named in the F.I.R. and is in
custody since 05.04.2022.



The allegation against the petitioner is to cause death of daughter of the informant, alongwith other family members/co-accused persons, due to non-fulfillment of demand of dowry, as raised for cash of Rs.2 Lakhs, T.V. set, motorcycle etc.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is mother-in-law and living separately, having no connection with daily and domestic affairs of the deceased and her husband. It is submitted that even, as per dying declaration of the deceased, maximum allegation, which can be drawn against this petitioner, is to stand nearby and to not make any effort to prevent the deceased's husband and devar, while they were involved in pouring kerosene oil and putting her on fire. It is submitted that specific allegation is against the husband and brother-in-law of the deceased. While concluding the argument, it is submitted that petitioner is a lady of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP duly assisted by learned counsel appearing on behalf of the informant, while opposing the prayer of bail, fairly conceded that the specific allegation, as regard to



pouring kerosene oil and putting deceased on fire, is against the husband and brother-in-law of the deceased and not against this petitioner.

In view of the facts and circumstances, as mentioned above, as specific allegation to cause death is not available against this petitioner, who is mother-in-law coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Guraru P.S. Case No. 49 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Gaya/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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