

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39154 of 2022

Arising Out of PS. Case No.-562 Year-2021 Thana- PATLIPUTRA District- Patna

MUKUL MISHRA Wife of Late Narayan Mishra R/o Village and Post
Barauni Dyodhi, District - Begusarai 851113.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kishore Kunal, Advocate Mr. Deepak Kumar, Advocate
For the Opposite Party/s	:	Mr. Pradeep Narain Kumar, APP
For the Informant/s	:	Mr. Bipin Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-12-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 304(b) and
34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that her daughter was married to Abhinav on 11.01.2021,
further they were staying on rent in the house of Rajesh at
Patna, it is next alleged that her son-in-law works with Power
Grid Corporation, further three months before Abhinav left her
daughter and fled and she was staying alone in the rented
premises, further the accused persons, including the petitioner,



used to demand dowry and even had petitioned against her daughter alleging false allegation, it is next alleged that 31.10.2021, she called her daughter, but she did not pick up the phone, accordingly asked their relatives Brajesh to find out, it is next alleged that Brajesh went to the house of the victim and thereafter informed that she has committed suicide by hanging, thus alleges that on account of dowry demand her daughter died in suspicious condition.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated being mother-in-law of the deceased, it is next submitted that the FIR does not disclose what amount or articles were being demanded by way of dowry, it is further submitted that even the FIR clearly records that Abhinav for the last three months was not staying with the deceased and the accused had petitioned to the authorities against the deceased which amply demonstrates that the deceased was staying alone in the rented premises and her dead body was also found inside the house where neither the petitioner nor her husband was present, it is next submitted that even the allegation against the informant is general and omnibus in nature, it is further submitted that Abhinav had filed Matrimonial Case No. 942 of 2021 for judicial suppression



before the learned Principal Judge Family Court, Patna.

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 in a position to rebut the submission of the learned counsel for the petitioner that the allegation against the petitioner is general and omnibus in nature and the FIR does not disclose as to what was being demanded by way of dowry.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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. 5,000/- (Rupees Five 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 Patliputra P.S. Case No. 562 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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