

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43631 of 2022

Arising Out of PS. Case No.-113 Year-2022 Thana- JAMUI District- Jamui

MILEE DEVI @ MILI DEVI Wife of Nand Kishore Mishra q Resident of
village- Mahsaura, P.S- Ramgarh Chauk, Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Prakash Mahto, Advocate
For the Opposite Party/s :	Mr. Satya Nand Shukla, A.P.P.
:	Mr. Deepak Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-12-2022 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 304(B)
and 34 of the Indian Penal Code.

The informant alleges that his sister was married in
the year 2018 to Vishal Kumar, further after marriage, the
accused persons including the petitioner started demanding a
motorcycle and a gold necklace by way of dowry, it is next
alleged that on account of non-fulfillment of the demand, the
victim was mentally tortured and assaulted, it is further alleged
that on 12.03.2022, the victim had informed that she was
assaulted by the accused persons and on 13.03.2022 at 12:10



pm, informant got information that the victim has been killed, accordingly, he reached the place of occurrence where he saw the body of his sister and also found sign of strangulation.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case being mother-in-law of the deceased, it is next submitted that informant is not an eye witness to the occurrence, it is further submitted that petitioner is living separately from the husband of the deceased and the husband of the deceased is in custody, it is also submitted petitioner will not evade the law rather will cooperate in the investigation and will present herself as and when required by the investigating officer of the case so that the truth comes out.

Learned A.P.P. for the State and learned counsel for the informant opposed 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 informant is not an eye witness to 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 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 Jamui P.S. Case No. 113 of 2022 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 giving an opportunity of hearing to the petitioner shall pass orders in accordance with law and shall also have liberty to cancel her bail bonds.

The learned trial Court is directed to send the copy of this Order to the concerned P.S.

(Satyavrat Verma, J)

GauravSinha/-

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