

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64517 of 2021**

Arising Out of PS. Case No.-81 Year-2021 Thana- BISHWAMBHARPUR District-
Gopalganj

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MODAL DEVI @ MODALI DEVI Wife of Ramakant Giri R/o Village -
Baliwan Sagar (Tola Mathiya), P.S. - Bishambharpur, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Akbar Ali, APP

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

3 22-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is mother-in-law of the deceased and is a senior citizen and the informant alleges that deceased was married to Rajiv Giri in 2008 after marriage motorcycle and gold chain was being demanded by way of dowry, further alleges that accused person used the threatened the deceased that she would be killed, in the event, if the demand is not fulfilled, it is next alleged that informant received



information that accused persons have killed the deceased by strangulation.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that marriage was performed between the deceased and the son of the petitioner in the year 2008 out of the wedlock children was born, it is also submitted that the present FIR came to be instituted in 2021 i.e., after about 13 years of marriage, it is next submitted that a false case has been instituted alleging that dowry was being demanded, it is next submitted that it absolutely does not stand to reason that for 13 years the accused persons would have been demanded dowry irregularly and no action would have been taken by the informant or the deceased, it is further submitted that petitioner is the mother-in-law and there is no specific allegation against them.

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

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 to
the satisfaction of the learned trial court where the case is
pending/successor court in connection with Bishambharpur P.S.
Case No. 81 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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