

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54427 of 2022

Arising Out of PS. Case No.-200 Year-2021 Thana- BHAGWANPUR District- Vaishali

Shanti Devi, Wife Of Devendra Sharma R/O Village- Satpura, P.S.-
Bhahgwanpur, District- Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jharkhandi Upadhyay
For the Opposite Party/s : Mr. Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of her arrest
in a case registered for the offences punishable under Sections
304-B, 201/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is aged about 72
years and is mother-in-law of the deceased. It is next submitted
that the informant alleges that his daughter was married to the
son of the petitioner in the Year 2006 and after marriage, dowry
was being demanded and for non-fulfilment of the dowry
demand, it is alleged that his daughter was killed.

The learned counsel for the petitioner submits that the
marriage admittedly was more than 15 years old and in between



these 15 years, no F.I.R. or any complaint came to be instituted which amply demonstrates that the accused persons including the petitioner had never demanded dowry nor had ever tortured the deceased and else the informant or the deceased when alive would have filed a case against the petitioner and her family members. It is also submitted that from the wedlock, two children were born and when the occurrence took place, no one was present in the house including the children and when the children came from school, they saw their mother in an uncomfortable position and before they could inform anyone, she died. The learned counsel next submits that the husband of the deceased is also filed an application seeking anticipatory bail vide Cr. Misc. No.54349 of 2022 in which case diary has been called for and the case has been fixed for 21.12.2022. It is next submitted that the case of this petitioner is on different footing from that of the husband of the deceased. It is also submitted that at the cost of repetition that petitioner is an old lady aged about 72 years.

Learned A.P.P. opposes the bail application.

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 Court below



within a period of six weeks, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bhagwanpur P. S. Case No.200 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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