

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64488 of 2021

Arising Out of PS. Case No.-8 Year-2020 Thana- SINGHIYA District- Samastipur

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Ramdai Devi @ Ramday Devi Wife Of Nand Kishori Yadav @ Nand Kishore
Yadav Resident Of Village - Pipra, P.S.- Singhia, District - Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Vinay Kumar Mishra
For the Opposite Party/s :	Mr. Bharat Bhushan
	Mr. Madhav Jha
	Mr. Kanchan Jha

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-03-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 363, 366, 304(B) and 34 of
the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 09.07.2021, he is a person with
clean antecedent and charge-sheet has been submitted in this
case.

The learned counsel for the petitioner further submits
that the informant alleges that her sister's son-in-law Nand
Kishore Yadav informed her that on 20.01.2020 at about 12'O'
Clock in the night, her daughter Mamta Kumari fled away and



despite search has not been traced. It is further alleged that Sumit Kumar Yadav and other named accused persons including the petitioner in conspiracy killed her daughter and disposed of the dead body to conceal the evidence.

The learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that the allegations are general and omnibus in nature and there is no allegation regarding demand of dowry. Further in the F.I.R., there is no allegation of demand of dowry, as such, the death cannot be a dowry death. It is further submitted that informant is not an eye witness to the occurrence and the entire allegation hinges around the suspicion and the petitioner is the mother-in-law. The learned counsel submits that the husband of the deceased is in custody and the dead body was found on 25.01.2020 as pleaded in Para-7 of the bail application.

Learned counsel for the informant as well as learned A.P.P. opposes the bail application, but the learned counsel for the informant is not able to meet the submission of the learned counsel for the petitioner that in the F.I.R., there is no allegation of demand of dowry and the entire allegation hinges around suspicion.



Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in this case and is mother-in-law of the deceased and the husband is in custody, the petitioner, above-named, is directed to be released on bail on his 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 learned Court below where the case is pending in connection with Singhiya P. S. Case No.08 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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