

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64453 of 2021

Arising Out of PS. Case No.-68 Year-2021 Thana- NAYA RAM NAGAR District- Munger

1. MANJU DEVI Wife of Sri Madan Mandal Resident of Village and P.S.- Teghra, P.S.- Haveli Kharagpur, District - Munger.
2. Sanny Kumar Son of Sri Madan Mnadal Resident of Village and P.S.- Teghra, P.S.- Haveli Kharagpur, District - Munger.
3. Khushboo Devi @ Khushboo Kumari Daughter of Sri Madan Mandal Resident of Village and P.S.- Teghra, P.S.- Haveli Kharagpur, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suman Kumar Mishra
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-06-2022 It is submitted by learned counsel for the petitioners that during pendency of this application, petitioner no. 2 has been arrested and, as such, he seeks permission to withdraw this application against him.

In view of the aforesaid submission, this application is dismissed as withdrawn against petitioner no. 2.

The instant application for anticipatory bail has been filed by the petitioner no. 1 and 3 apprehending their arrest in connection with Naya Ramnagar P.S. Case no. 68 of 2021 instituted for the offence punishable under Section 304 B/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.



As per allegation in the FIR, petitioners along with his family members have tortured in various ways to the deceased due to non-fulfillment of a motorcycle and a gold chain and ultimately, they ousted her from her matrimonial home. Daughter of the informant committed suicide due to mental torture by her in-laws.

Learned counsel appearing on behalf of the petitioners has submitted that petitioner no. 1 is mother-in-law and petitioner no. 3 is daughter-in-law of the deceased. They have been falsely implicated in this case. They have never demanded any thing from the informant prior to the occurrence. Deceased had committed suicide in her parental house. They have no concern with the daily activity of the deceased and her husband. Petitioners are living separately. The sole responsibility to take care of wife is upon husband and not against his family members. As per submission of learned counsel, husband of the deceased is in custody.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners no. 1 and 3 on bail and both the



petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Naya Ram Nagar P.S. Case no. 68 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM 1st Munger subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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