

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6439 of 2023**

Arising Out of PS. Case No.-205 Year-2021 Thana- BABUBARHI District- Madhubani

MUNCHUN KUMARI @ MUNCHUN DEVI Wife of Late Deepak Kumar
Mahto Resident of Village - Sonmati, P.S.- Babubarhi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gautam Saha, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, Addl. Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 11-05-2023 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offence punishable under sections 302, 201/34 of the Indian
Penal Code.

As per prosecution case, this petitioner along with
other FIR named accused persons killed the son of the informant
and cremated the body without giving any information to his
family members.

It is submitted by the learned counsel for the
petitioner that the deceased was married to the petitioner in
2017 and out of the wedlock one child was born. Thereafter her
husband started demanding dowry of five lakhs for which this
petitioner has filed M.R. Case No. 85 of 2021 in the Court of



learned Pincipal Judge, Family court, Madhubani on 20.03.2021 wherein she had alleged that she was married to the deceased on 16.04.2017 and was living peacefully with her husband at her matrimonial home and out of the wedlock child was born, thereafter deceased started demanding 5 lakhs. It is further alleged that she was ousted from her matrimonial home on 01.06.2020. It is thus submitted that admittedly the relationship between the husband and wife was strained. It is next submitted that only on suspicion petitioner has been made accused in this case. Informant is not an eye witness of the occurrence. Similarly situated co-accused person has already been granted bail by a co-ordinate Bench of this Court vide Annexure-5. Petitioners claims clean antecedent.

Learned counsel for the State opposes the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Learned ACJM-I, Madhubani in connection with Babubarhi P.S. case no 205 of 2021 subject to the conditions laid down under



section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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