

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8473 of 2023

Arising Out of PS. Case No.-227 Year-2022 Thana- MAHARAJGANJ District- Siwan

GUNJAN DEVI @ GUNJAN SHARMA W/O KULDEEP SHARMA
Resident of village- Risaura, P.S.- Maharajganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y. C. Verma, Sr. Advocate

Ms. Priyanka Singh, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-05-2023 Heard the learned senior counsel for the
petitioner and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Maharajganj P.S. Case No.227 of 2022, registered for offences under Sections 304-B and 34 of the IPC and Sections 3 and 4 of the Dowry Prohibition Act.

The allegation is regarding the accused persons including the petitioner herein, who is married sister-in-law of the deceased victim lady of having killed the deceased victim lady on account of non-fulfillment of demand for dowry.

The learned senior counsel for the



petitioner has submitted that the petitioner is innocent, she has been falsely implicated in the present case and she is having a clean antecedent. The learned senior counsel for the petitioner has further submitted that the marriage of the daughter of the informant is stated to have been solemnized with one Pankaj Kumar Sharma, who is the brother of the petitioner and he is stated to be in custody as is apparent from paragraph no.11 of the present petition. It is also submitted that there is no specific allegation levelled qua the petitioner herein regarding her having any role in the killing of the daughter of the informant.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that no specific allegation has been levelled qua the petitioner herein of her having killed the



daughter of the informant, apart from the fact that the husband of the deceased victim lady, who is the main accused is behind the bars, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of her arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Siwan in connection with Maharajganj P.S. Case No.227 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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