

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13887 of 2023

Arising Out of PS. Case No.-187 Year-2022 Thana- AGIAON BAZAR District- Bhojpur

GITA DEVI, Wife of Ramesh Sharma, R/V- Motidih Ps- Agiaon Bazar Dist-
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 24-05-2023 Heard learned counsel for the petitioner and learned
APP for the State of Bihar.

The petitioner is apprehending her arrest in connection with Agiaon Bazar P.S. Case No. 187 of 2022 under Sections 304B, 120B and 34 of Indian Penal Code.

As per prosecution case, informant's daughter has been done to death at her matrimonial home. The death being unnatural is preceded by demand for dowry and torture by the family members.

Learned counsel for the petitioner submits that the petitioner is mother-in-law of the victim and has been made an accused merely by virtue of her relationship. The husband of the victim is in custody. In fact, the petitioner and other family members had no concern with the affairs of the deceased with



her husband. The father-in-law and brother-in-law of the deceased have been allowed bail in *Cr. Misc. No. 15932 of 2023*. Another co-accused person has also been allowed bail in *Cr. Misc. No. 11171 of 2023*. The petitioner has got no criminal antecedents.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, nature of general and omnibus allegations, claim based on parity as also clean antecedent, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

Petitioner's prayer for anticipatory bail is allowed.

Accordingly, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Bhojpur at Ara, in connection with Agiaon Bazar P.S. Case No. 187 of 2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:



- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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