

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13918 of 2023**

Arising Out of PS. Case No.-598 Year-2021 Thana- SARAIYA District- Muzaffarpur

SAVITRI DEVI WIFE OF SURENDRA BHAGAT R/O VILLAGE-
BISHAMBHARPUR, P.S.- SARAIYA (JAIPUR O.P.), DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Shyam Bihari Singh

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 23-05-2023 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Saraiya P.S. Case No. 598 of 2021, registered for the offence punishable under Sections 304(B) and 34 of the Indian Penal Code.

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

The learned counsel for the petitioner submits that the petitioner is innocent, she has been falsely implicated in the present case and she is having a clean antecedent. The learned



counsel for the petitioner has further submitted, by referring to paragraph no. 9 of the present petition that the husband of the deceased victim lady, who may be the main accused person, is already in custody since 25.8.2021. It is also submitted that the father-in-law of the deceased victim lady has already been granted the privilege of bail by a coordinate Bench of this Court, vide order dated 6.1.2023, passed in Criminal Miscellaneous No. 21125 of 2022.

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 petitioner, taking into account the materials available on record as also considering the fact that the husband of the deceased victim lady is behind bars and moreover, similarly situated co-accused person has already been granted bail by a coordinate Bench of this Court, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the 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 six 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 ACJM, IVth, (West), Muzaffarpur, in connection with Saraiya P.S.Case No. 598 of 2021, 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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