

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16000 of 2023

Arising Out of PS. Case No.-309 Year-2021 Thana- MAHNAR District- Vaishali

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URMILA DEVI W/O RAMLAL PODDAR Resident of Village- Lawapur,
P.S.- Mahnar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in a case registered for the offence punishable under Sections 304(B) and 201/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, all the accused persons including the petitioner are said to have killed the daughter of the informant on non-fulfillment of the demand of the dowry.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner is mother in law of the deceased. He submits that there is no specific overt act against the petitioner. He further submits that at the bar that the



husband of the deceased is already in judicial custody but did not mention it in the application. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of her arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Mahnar P.S. Case No.309/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

However, the Trial Court is directed to verify the fact that the husband of the deceased is in judicial custody or not. If husband of the deceased is not in judicial custody, the bail bond of the petitioner shall not be accepted by the learned Court below.

(Anjani Kumar Sharan, J)

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