

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19443 of 2023

Arising Out of PS. Case No.-437 Year-2021 Thana- MADHEPURA District- Madhepura

Rani Devi Wife of Pintu Kumar Resident of - Madhepur College Chowk,
Ward No.- 05, P.S.- Madhepura, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 13-06-2023 Heard Mr. Sanjay Kumar Singh, learned counsel
appearing on behalf of the petitioner and learned Additional
Public Prosecutor for the State.

The petitioner apprehends her arrest in connection
with Madhepura P.S. Case No. 437 of 2021, registered for the
offences punishable under Sections 498(A)/304(B) of the Indian
Penal Code.

It is alleged that on 03.06.2021 at about 1:00 p.m. the
informant received information that his daughter has been
killed. On receipt of such information, the informant along with
all his family members went to Madhepura Sadar Hospital
where they found the dead body of the victim. It is further
alleged that all the FIR named accused persons had been
continuously harassing the deceased for demand of dowry and



when the same was not fulfilled, she was burnt to death.

It is submitted on behalf of the petitioner that the deceased was burnt while she was cooking food and it was an accidental fire. Soon thereafter, she was taken to Sadar Hospital, Madhepura but subsequently for better treatment she was admitted to Hope Hospital, Purnia, however, her condition was not improved, thus she was again brought back to Sadar Hospital but unfortunately she died during course of treatment on 03.06.2021. The petitioner happens to be sister-in-law of the deceased and there is no specific allegation against her. It is further submitted that right from the date of occurrence on 28.03.2021 till 03.06.2021, all the family members of the petitioner were remained present all along with the deceased and extended all the help and got her treated but unfortunately she died. During this period, neither the deceased had made any statement against any of the in-laws persons, including the petitioner, nor the family members of the deceased has filed any complaint, whatsoever, but soon after her death the present case has been instituted.

On the other hand, learned counsel for the State opposed the bail application and submits that the complicity of the petitioner cannot be denied as the petitioner is also named in



the FIR.

Regard being had to the submissions made on behalf of the parties and considering the fact that during the course of treatment for about two months, neither the statement of the victim was recorded nor the family members of the deceased has filed any complaint, apart from the fact that the petitioner who happens to be married sister-in-law residing in her matrimonial home with her husband having fair antecedent, let the petitioner abovenamed be released on 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, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 437 of 2021, subject to the conditions laid down in Section 438(2) Cr.P.C.

(Harish Kumar, J)

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