

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28836 of 2023

Arising Out of PS. Case No.-198 Year-2022 Thana- SARAIYA District- Muzaffarpur

Meena Devi, W/o Dinesh Singh, Resident of Village- Rajarampur, P.S.-
Saraiya, District-Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dr. Bipin Chandra, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Saraiya P.S. Case No. 198 of 2022 registered for the offence punishable under Sections 304(B)/34 of the Indian Penal Code. She has got no criminal antecedent.

3. As per the prosecution story, on 06.02.2017 the informant solemnized marriage of her daughter with one Mintu Singh and gave some gold and silver ornaments to the said Mintu Singh along with one motorcycle and two lakh cash. It is further said by the informant that on 29.03.2022 at about 08:00 o' clock she got informed by the villagers of Rajarampur that her daughter has been killed by her in-laws.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. It is submitted that there is no specific allegation of demanding dowry at any stage by this petitioner. It is the submission of learned counsel that the thrust of the allegation lies against the husband of the deceased who is already in judicial custody and has been charge-sheeted.

5. Learned APP for the State has opposed the anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein this petitioner is said to be the mother-in-law of the deceased, there is no specific allegation that she had indulged in making demand of dowry at any stage, the thrust of the allegations are against the husband of the deceased who is already in judicial custody, the police has submitted a charge-sheet against the co-accused but the investigation against the petitioner has been kept pending for more than one year, the petitioner has otherwise no criminal antecedent and she is ready to abide by such terms and conditions which may be imposed for grant of pre-arrest bail to the petitioner, this Court directs that in case of her arrest or surrender within a period of four weeks from today, the petitioner shall be released on bail in connection with Saraiya P.S. Case No. 198 of 2022 on



furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IV (W), Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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