

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24107 of 2023

Arising Out of PS. Case No.-283 Year-2022 Thana- KALYANPUR District- East Champaran

SABITA DEVI WIFE OF ARJUN YADAV RESIDENT OF VILLAGE-
SAMICHAK, PS- KALYANKPUR, DISTT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 304B and 201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a woman.

The informant alleges that his daughter was married with Arjun Yadav (husband of the petitioner) on 14.05.2021, after marriage Arjun Yadav started demanding of Rs.2 lakhs by way of dowry from his daughter and on account of non-fulfillment of the same Arjun Yadav along with the petitioner used to assault her. It is further alleged that Arjun Yadav from his first wife (petitioner) had seven daughters thus for a son he married the deceased with the consent of the petitioner. It is



next alleged that the informant came to know that Arjun Yadav along with the petitioner killed his daughter and disposed of the dead body.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that the informant is not an eye witness to the occurrence and the entire allegation with respect to the petitioner hinges around suspicion. It is next submitted that since Arjun Yadav could not beget a son from the petitioner as such he married the daughter of the informant but then there was no consent of the petitioner for the second marriage. It is also submitted that no woman would give consent to her husband for marrying the second time. It is further submitted that petitioner though was staying in the house along with Arjun Yadav and the deceased but then her status was that of a servant. It is next submitted that petitioner will not abscond rather will cooperate in the investigation and will present herself as and when required by the investigating officer of the case for eliciting the truth.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned



counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kalyanpur P.S. Case No. 283 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, it is made clear that if the investigating officer of the case files an application bringing to the notice of the learned court below that petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting herself when required by the investigating officer, the learned court below shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

Let a copy of this order be sent to the concerned police station through the learned court below.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

