

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33236 of 2023

Arising Out of PS. Case No.-2 Year-2023 Thana- CHANDI District- Bhojpur

RAJWANTI DEVI wife of Wakil Yadav Village- Bhadwar Iccha Bhagat Ke
Tola Ps- Chandi Dist- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jagnarayan Yadav son of Late Tajiya Yadav Village- Bampali Ps- Udwant
Nagar Dist- Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-07-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends her arrest in a case registered
for the offence punishable u/s 304(B), 34 of the IPC.

3. As per the prosecution case, daughter of the informant has
been killed by F.I.R. named accused persons including the
petitioner (mother-in-law of the deceased) due to non-
fulfillment of demand of dowry.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. She
has been falsely implicated in this case due to grudge. No such
occurrence, in the manner as alleged, has ever taken place. The
allegation leveled against the petitioner is not specific rather



general and omnibus in nature. She never made any dowry demand from the deceased. It is further submitted that husband of the deceased is already in judicial custody. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since husband of the deceased is already in custody, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Chandi P.S. Case No.02 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, before accepting the bail bonds of the petitioner, learned Court below is directed to verify as to whether the husband of the deceased is in judicial custody or not and if it is found that he is not in custody, the bail bond of the petitioner shall not be accepted.

(Anjani Kumar Sharan, J)

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