

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35200 of 2023

Arising Out of PS. Case No.-859 Year-2022 Thana- NAUBATPUR District- Patna

Manju Devi @ Lalita Devi W/O Sri Laxman Sao R/O Nahar Musahari Chhoti
Tangralia, P.S- Naubatpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Renu Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Naubatpur P.S. Case No. 859 of 2022 registered on 27.12.2022 for the alleged offences under Sections 304(B)/34 of the Indian Penal Code.

3. As per prosecution case, daughter of the informant was married with the son of the petitioner and allegation against the petitioner and other co-accused persons is that they have been demanding some land and asking for a sum of Rs. 2,00,000/- in dowry and when the demands were not made, they killed the daughter of the informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this



case. The petitioner is the mother-in-law of the deceased and merely on suspicion, she has been named in this case. Daughter of the informant died in normal circumstances owing to some illness and for this reason, no offence under section 304(B)/34 of I.P.C. is made out against the petitioner and his family members. No dowry was ever demanded and taken by the husband and other family members from the informant. Prior to this FIR, no sanha was lodged by the informant against the petitioner for extending any threat to kill the daughter of the informant. Moreover, there is no specific allegation of any overt-act against this petitioner. Learned counsel further submits that it has also come on record that death of the daughter of the informant was due to abdominal pain and vomiting showing it to be a natural death. The postmortem report of deceased shows no foul play was found and opinion kept reserved pending report of tissue from chemical analysis and pathological examination. The petitioner is in custody since 27.12.2022 and charge- sheet has been submitted.

5. Learned APP opposes the prayer for bail submitting that the petitioner is involved in a dowry death of her daughter-in-law.

6. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the petitioner is a lady and there is no specific allegation of any overt-act against this petitioner and further considering her period of custody and the submission of charge-sheet against her, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Danapur (Patna)/court concerned in connection with Naubatpur P.S. Case No. 859 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

himanshu/-

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

