

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35672 of 2023**

Arising Out of PS. Case No.-678 Year-2021 Thana- KANTI District- Muzaffarpur

Krishana Devi, aged about 63 years, Female, wife of Sri Umeshwar Sharma,
Resident of village- Fatehpur, P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mrs. Bela Singh, Advocate.
For the Opposite Party : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is apprehending her arrest in a case
for the offence registered under Sections 498A, 304B/34 of
the I.P.C. and $\frac{3}{4}$ of the D.P. Act.

Allegation against the petitioner is of killing the
victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
There is no allegation of tampering with the witnesses
alleged against the petitioner. The petitioner has been made
accused in the present case due to mistake of fact. The



petitioner is the mother-in-law of the deceased. The petitioner is separate in mess and property from the husband of the deceased. She has no concern with the alleged occurrence. From perusal of the order dated 15.03.2023, passed by another Co-ordinate Bench of this Court in Cr. Misc. No. 54456 of 2022, in respect of other co-accused, it is evident that the deceased had died due to illness after giving birth to a child.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve 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 learned Sub-Divisional Judicial Magistrate, West, Muzaffarpur, in connection with Kanti P.S. Case No. 678 of 2021, G.R. No. 3414 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

The petitioner is directed to co-operate during the trial. If the petitioner does not co-operate during the trial, the court below will be at liberty to cancel the bail bonds of the petitioner.

(Sudhir Singh, J)

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