

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39964 of 2023

Arising Out of PS. Case No.-13 Year-2020 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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Champa Devi, Wife Of Umesh Mehra Village Yogiraj Ps Puraini District
Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mira Devi Wife Of Raushan Mehra Resident Of Village- Yogiraj Ward No. 08, Police Station- Puraini, District- Madhepura At Present Resident Of Village- Bhadaul, Ward No. 02, Police Station- Madhepura (bHARRAHI O.P.), District- Madhepura

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surya Narayan Yadav, Advocate
For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-08-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner is apprehending her arrest in
connection with Complaint Case No. 13(C) of 2020 registered
for the offence punishable under Sections 341, 323, 379, 498-A,
504 of the Indian Penal Code Section 3/4 of D.P Act.

3. The petitioner is mother-in-law. The complainant
has alleged that the marriage was solemnized in the year 2019.
There is an allegation of torture and assault by husband and in-
laws, including the petitioner, for non-fulfillment of additional
dowry demand of one motorcycle. She has also alleged that she



was ousted from the matrimonial home and an attempt was made to kill her by sprinkling *kerosene* on her by the instant petitioner.

4. Learned counsel for the petitioner submits that the complaint case has been lodged on misconception and on instigation of some persons. The same is a false case. In fact, the complainant is now residing with her husband (petitioner's son). The husband's younger brother has also been allowed bail by the learned trial court. The petitioner is a female petitioner, having no antecedents; and her implication is only by virtue of her relationship with the complainant.

5. Learned APP for the State has opposed the prayer for pre-arrest bail.

6. Considering the submission regarding grant of bail to the husband and other submissions advanced by learned counsel for the petitioner, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

7. Accordingly, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned



S.D.J.M., Madhepura in connection with Complaint Case No. 13(C) of 2020, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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