

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44674 of 2023

Arising Out of PS. Case No.-193 Year-2022 Thana- YADOPUR District- Gopalganj

Usha Devi, Wife of Sri Mithlesh Yadav, Resident of village-Gamharia, P.S.-
Jadopur, District-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Yadav, Advocate

For the Opposite Party/s : Mr.Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-08-2023 1. Heard learned Counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending arrest in connection
with Jadopur P.S. Case No. 193/2022 registered on 10.11.2022
for the offences punishable under Sections 304B, 34 of the
Indian Penal Code and Sections 3/4 of the Dowry Prohibition
Act, 1961.

3. As per the prosecution, on the basis of
the *Fardbeyan*, the FIR has been lodged against 5 named
accused persons including the petitioner. It is alleged in
the *Fardbeyan* that the sister of the informant got married to co-
accused Suresh Yadav five years before the occurrence.
Subsequently, after the birth of a female child, all the in-law's



family started demanding dowry and due to non-fulfillment of the dowry demand, they started inflicting torture on the sister of the informant. All of sudden on 09.11.2022, the informant came to know that her sister has been killed by the accused persons by strangulating her neck.

4. It is submitted by learned counsel for the petitioner that the petitioner being the sister-in-law (*jethani*) of the deceased is innocent and has committed no offence and the accusation levelled against her is omnibus and general. In fact, the said FIR in which the petitioner is seeking anticipatory bail was lodged on 10.11.2022 whereas the father-in-law of the deceased lodged an FIR on 09.11.2022 being Jadopur P.S. Case No. 191/2022 against three unknown persons for committing theft in his house after breaking the windows. In the said occurrence, the deceased had claimed to have seen the accused persons and she can identify the accused persons and this may be a reason why the sister of the informant might have been killed by the accused of Jadopur P.S. Case No. 191 of 2022. Moreover, the petitioner claims to reside separately from the deceased.

5. Learned APP for the State opposes the prayer for bail of the petitioner.



6. In the facts and circumstances, let the above-named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the J.M.- 1st Class, Gopalganj in connection with Jadopur P.S. Case No. 193/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J)

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