

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42016 of 2023

Arising Out of PS. Case No.-141 Year-2022 Thana- RAJNAGAR District- Madhubani

PANO DEVI Wife of Kusheshwar Yadav Resident of village - Paliwar, P.S. -
Rajnagar, Distt. - Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur
For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-08-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State along with the learned counsel for the informant.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 304-B, 302 and 34 of the Indian Penal Code.
3. The informant alleges that his sister was married to Dharmendra on 21.06.2021, after marriage they started torturing her for a bullet motorcycle and utensils, further, on 01.06.2022, Ram Preet informed that his sister committed suicide, accordingly, he reached the place of occurrence and found the dead body of her sister with mark of injuries on body.
4. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent.



5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case being mother-in-law of the deceased, it is next submitted that from bare perusal of the allegations as alleged in the FIR, it would manifest that the allegation of demand of dowry and torture is general and omnibus in nature, it is further submitted that it is the duty of the husband to ensure the well being of his wife but it is seen that whenever any occurrence takes place, the entire family member of the husband are implicated in a mechanical manner, it is also submitted that the informant is not an eye-witness to the occurrence nor he alleges anything specific against the petitioner about her role in demand of dowry or torture. It is also submitted that the husband of the deceased is in custody.

6. Learned A.P.P. for the State along with learned counsel for the informant opposes the prayer for anticipatory bail of the petitioner but he learned counsel for the informant is not in a position to rebut the submission of the learned counsel for the petitioner that no specific allegation is alleged against the petitioner with regard to demand of dowry and torture and the husband of the deceased is in custody.

7. Considering the submissions made by the learned



counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six 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 the learned trial court where the case is pending/successor court in connection with Rajnagar P.S. Case No. 141 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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