

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44432 of 2023

Arising Out of PS. Case No.-808 Year-2022 Thana- BARH District- Patna

Malti Devi Wife of Late Kameshwar Sao Resident of Village - Chakdiwan,
P.S.- Sheikhpura, District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Raj, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 498(A),
306, 304(B) and 34 of the Indian Penal Code read with Sections
3/4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and being mother-
in-law, she has been implicated in the present case and the
informant alleges that his daughter was married to Krishna
Kumar on 10.06.2022 and husband of her daughter used to
assault her for non-fulfillment of demand of dowry, it is further
alleged that the informant had complained to the police also and
on intervention of the police, the matter for sometime was



settled, but the torture again started. It is next alleged that thereafter the informant informed the Railway officials also about the conduct of his son-in-law on which brother of his son-in-law came and threatened that they will not take his daughter back on which his daughter tried to commit suicide and presently is being treated in Rajeshwar Hospital.

4. Learned counsel for the petitioner submits that from perusal of the allegations as alleged in the FIR it would manifest that the allegation of demand of dowry and torture, as far as the petitioner is concerned, is general and omnibus in nature, it is next submitted that even the victim attempted to commit suicide in her parental home, it is further submitted that subsequently during the course of treatment she died and Section 304(B) of the Indian Penal Code also came to be added. Learned counsel submits that the dispute was between the deceased and her husband and whenever such dispute arises, the entire family members are implicated with general and omnibus allegation, it is further submitted that even the husband is pursuing his remedies available in law and his anticipatory bail application already stands rejected by the learned district court.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



6. 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 Court below 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 court below where the case is pending/successor court in connection with Barh P.S. Case No. 808 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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