

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49016 of 2023

Arising Out of PS. Case No.-157 Year-2023 Thana- BUXAR MUFFSIL District- Buxar

Phuleshwari Devi, Wife of Hiralal Ram, Resident of Village - Lakshmipur Kritpura,
P.S. - Buxar Muffasil (M), Distt- Buxar Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Dimpal Kumari, Adv.

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

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

2. Petitioner seeks regular bail in connection with
Buxar Muffasil (M) P.S. Case No. 157 of 2023 dated 29.03.2023
registered for the offence punishable under Section 304B/34 of the
Indian Penal Code.

3. The main submissions advanced by learned counsel
for the petitioner are that the petitioner is a lady and was mother-
in-law of the deceased and in the FIR which has been registered
under Section 304B of the IPC, there is no specific allegation of
committing cruelty for the demand of dowry against the petitioner
with the deceased and the husband of the deceased is in jail.
Further submissions are that as per the order impugned, the victim
died due to hanging and the petitioner has fair and clean
antecedent and has been languishing in jail since 30.03.2023 and
against her, the investigation has been completed. Further



submissions are that the petitioner has been separately living from her son, who happens to be the husband of the deceased, for last five years and she has been implicated in this case just because she was the mother-in-law of the deceased.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Having regard to the facts and circumstances of this case and considering the above submissions and mainly taking into account the facts that against the petitioner, who is a lady and was mother-in-law of the deceased, there is no specific allegation of dowry demand or cruelty allegedly committed with the deceased and against her, the investigation has been completed, in my opinion in the said circumstances, the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be enlarged 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 Court concerned in connection with Buxar Muffasil (M) P.S. Case No. 157 of 2023.

(Shailendra Singh, J)

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