

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46872 of 2022

Arising Out of PS. Case No.-239 Year-2022 Thana- HISUWA District- Nawada

Morwa Devi Wife Of Late Basudev Chaudhary Resident Of Village - Dihuri,
Police Station- Hisua, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-01-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 304(B)/34 of the
Indian Penal Code.

The prosecution case in nutshell is that
petitioner, being the mother-in-law of the deceased
along with co-accused person killed the daughter of the
informant by pressing her in the bed and kept the dead
body outside of the gate.

It is submitted by learned counsel for the



petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that petitioner is languishing in judicial custody since 16.05.2022. It is further submitted that there is no allegation of demand of dowry against accused persons in the FIR. Hence, allegation against Section 304(B) is not made out against the petitioner. Petitioner is mother-in-law of the deceased and she is residing separately from the family of deceased. It is further submitted that deceased died due to illness and postmortem report shows that there was no any injury found upon the body of deceased and cause of death could not be ascertained in the postmortem report. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and



circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Hisua P.S. Case No. 239 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada.

(Sunil Kumar Panwar, J)

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