

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48156 of 2023

Arising Out of PS. Case No.-24 Year-2022 Thana- SAHAJITPUR District- Saran

Prabhawati Devi Wife of Manajar Mahto Resident of village - Piparpati, P.S. -
Sahajitpur, Distt. - Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-08-2023 Heard Mr. Gajendra Kumar Singh, learned counsel
for the petitioner and learned APP for the State.

2. The petitioner, who happens to be mother-in-law of the deceased is apprehending her arrest in connection with Sahajitpur P.S. Case No. 24 of 2022 registered for the offences punishable under Sections 304B and 201/34 of the Indian Penal Code.

3. Allegedly, the marriage of the sister of the informant was solemnized with son of the petitioner three years ago. Soon after the marriage, she was subjected to demand of dowry and on non-fulfillment of the same, she was done to death by all the family members including the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is a hapless mother-in-law of the deceased and there is



omnibus allegation of demand of dowry and assault against her. He further submits that on the alleged date of occurrence, the petitioner had been living in Madhya Pradesh along with her husband for their livelihood and they have no concern with the affairs of the deceased and her husband, who were separate in mess and business. He next submits that, in fact, the deceased had committed suicide on account of trivial issue. The petitioner bears no criminal antecedent.

5. On the other hand, learned counsel for the State opposes the bail application and submits that the role of the petitioner cannot be denied in the crime in question.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the fact that she has been residing separately with her husband from the deceased, coupled with the fair antecedent, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Saran at Chapra in connection with Sahajitpur P.S. Case No. 24 of 2022, subject to the condition as laid down



under Section 438(2) of the Cr.P.C, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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