

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61171 of 2023

Arising Out of PS. Case No.-265 Year-2022 Thana- BAKHTIYARPUR District- Patna

Renu Devi, Wife Of Naresh Yadav Resident Of Village- Teja Bigha, Ps-
Bakhtiyarpur, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner is apprehending her arrest in connection with Bakhtiyarpur P.S. case No. 265/2022 registered for the offence punishable under Sections 304(B), 201/34 of the Indian Penal Code.

3. As per the prosecution case, the accused persons killed the sister of the informant on account of non-fulfilment of demand of dowry.

4. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is mother-in-law. It is next submitted that the husband of the deceased has not surrendered and is availing his remedies available in law. Learned counsel for the petitioner further submits that from



perusal of the F.I.R., it would manifest that the allegation of demand of dowry is general and omnibus. It is next submitted that even the informant is not an eye witness to the occurrence and the petitioner being mother-in-law of the deceased having no concern with the day to day affairs of the deceased and her husband. Learned counsel for the petitioner further submitted that whenever such occurrence takes place, the entire family members are implicated. Co-accused Tusi Devi @ Khushboo Devi has been granted anticipatory bail vide order dated 27.06.2023 passed in Cr. Misc. No. 21214 of 2023.

5. Learned APP for the State has opposed the prayer for pre-arrest bail.

6. Considering the rival submissions, the allegation being general and omnibus, the clean antecedent of the petitioner and the claim of the petitioner based on parity, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for anticipatory bail of the petitioner is allowed.

7. Accordingly, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of four weeks from today, be released 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 learned A.C.J.M.-III, Barh, District- Patna, in connection with Bakhtiyarpur P.S. case No. 265 of 2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he/she is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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