

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61620 of 2023

Arising Out of PS. Case No.-337 Year-2022 Thana- KHANPURA District- Samastipur

MUNCHUNIYA DEVI @ DAIYJE DEVI WIF OF LATE MANIK RAM @
MANIK LAL RAM RESIDENT OF VILLAGE- SOBHAN BADGAWON
P.S. KHANPUR, DISTRICT- SAMASTIPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Neeraj Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-10-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

2. The petitioner apprehends her arrest in
connection with Khanpur P.S. Case No. 337 of 2022,
registered for the offences punishable under
Sections 304B/34 of the Indian Penal Code.

3. The marriage of the daughter of the
informant is stated to have been solemnized with
one Arjun Ram as per Hindu rites and rituals,
whereafter the deceased victim lady had gone to
her matrimonial home, however, subsequently, the
accused persons including the petitioner herein,
who is the mother-in-law of the deceased victim
lady started making demand for dowry and on
account of non-fulfillment of the same, the



deceased victim lady was killed by the accused persons by strangulating her.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent, she has been falsely implicated in the present case and she is having a clean antecedent. The learned counsel for the petitioner has further submitted that a general and omnibus allegation has been levelled against the accused persons including the petitioner herein and as far as the main accused is concerned, who is the husband of the deceased victim lady, he is also in custody, hence no prejudice would be caused to the prosecution in case the petitioner is granted the privilege of bail.

5. *Per contra*, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled



against the accused persons and the main accused i.e. the husband of the deceased victim lady is in custody, this Court finds that no prejudice would be caused to the prosecution in case the petitioner is granted the privilege of anticipatory bail, hence, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

7. Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of her arrest/surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order, 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-1st class, Samastipur in connection with Khanpur P.S. Case No. 337 of 2022, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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