

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61463 of 2022

Arising Out of PS. Case No.-277 Year-2022 Thana- UDWANTNAGAR District- Bhojpur

1. Deepak Singh @ Deepak Kumar Singh Son Of Sangam Singh R/O Village And P.O.- Karisath, P.S.- Udwant Nagar (gajrajganj O.P.), District- Bhojpur
2. Prabhawati Devi W/O Sangam Singh R/O Village and P.O.- Karisath, P.S.- Udwant Nagar (GAJRAJGANJ O.P.), District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vindhya Keshri Singh, Sr. Advocate
		Mr. Aditya Narayan Singh.1, Advocate
For the Opposite Party/s	:	Mr. Ajit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 16-05-2023 Heard Mr. Vindhya Keshri Singh, learned senior counsel assisted by Mr. Aditya Narayan Singh¹, learned counsel appearing on behalf of the petitioner and Mr. Ajit Kumar, learned A.P.P. appearing on behalf of the State.

2. It is made clear that bail application of the petitioner no. 1 has already been withdrawn vide order dated 25.04.2023.

3. The petitioner no.2 seeks pre-arrest bail in connection with Udwant Nagar (Gajrajganj O.P.) P.S. Case No. 277 of 2022 dated 22.06.2022 punishable under Sections 498(A), 304(B) and 34 of Indian Penal Code and Section 3/4 of Dowry Prohibition Act.



4. The prosecution story, in brief, is that the daughter of the informant was subjected to torture by all the accused persons named in the F.I.R and ultimately it was informed that his daughter has been murdered by all the co-accused including the petitioner.

5. Learned senior counsel appearing on behalf of the petitioner no. 2 submits that petitioner no. 2 has no role in the strained matrimonial relationship of her son and the daughter-in-law, who had performed love marriage. Petitioner no. 2 is an old lady who undertakes to raise the two children of the deceased and also provide them good education. Learned counsel further submits that deceased committed suicide as it would appear from the medical report of the doctor, who had performed postmortem.

6. Learned APP appearing on behalf of the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner no. 2

7. Having heard the rival submission of the parties as well as undertaking given by the petitioner no. 2, who is the grandmother of the two children, that she will ensure proper care of the two children of the deceased and will also provide good education in a reputed school being person of means. The



postmortem report reveals that strangulation marks have been found on the neck portion leading to the death which has been caused due to hanging and there is every chance that the deceased has committed suicide, I am of the opinion that the petitioner no. 2 has made out a, *prima facie* case to be released on anticipatory bail.

8. Court below is directed to release the petitioner no. 2 on anticipatory 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 CJM, Bhojpur in connection with Udawant Nagar P.S. Case No. 277 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

9. The present bail application, accordingly, stands disposed of.

(Purnendu Singh, J)

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