

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67453 of 2023

Arising Out of PS. Case No.-21 Year-2022 Thana- NTPC District- Patna

Urmila Devi @ Dharmshila Devi, W/O Birendra Yadav, R/O Village-
Sahnaura, P.S- N.T.P.C., Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending her arrest in connection with N.T.P.C P.S. Case No. 21 of 2022, registered for the offences under Sections 304(B) and 34 of the Indian Penal Code.

3. As per prosecution case, petitioner is the mother-in-law of the sister of the informant and allegation against the petitioner and other co-accused persons is that they used to torture and treat the sister of the informant with cruelty and they have been demanding dowry. Thereafter, due to non-fulfillment of their demand, sister of the informant was hanged by the petitioner and other co-accused persons.

4. Learned counsel for the petitioner submits that this is second attempt of the petitioner to seek bail from this Court. Petition for anticipatory bail of the petitioner was earlier dismissed



as withdrawn vide order dated 01.05.2023 passed in Cr. Misc. No. 71219 of 2022. Learned counsel further submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner is the mother-in-law and she is aged about 61 years and there is general and omnibus allegation against her as well as other co-accused persons. The sister of the informant committed suicide by hanging herself by a hook of the fan after lapse of seven years of marriage and no offence under Section 304(B) IPC is made out in the present case. The sister of informant was not having any child and she was called sterile by the local people and she committed suicide due to their taunts. The doors of the room where she committed suicide were found locked and this fact was observed by the persons who were present at the time of taking out the dead body. None of the witnesses from the place of the petitioner were examined by the I.O. during investigation and all the witnesses are family members and co-villagers of the informant. Learned counsel further submits that meanwhile the co-accused, husband, namely, Sunil Kumar Yadav has been granted bail by a Co-ordinate Bench of this Court vide order dated 04.08.2023 passed in Cr. Misc. No. 47856 of 2023.

5. Learned APP opposes the prayer for anticipatory bail submitting that the petitioner is named in the FIR for being involved in killing of the sister of the informant.



7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact petitioner is the mother-in-law of the deceased and there appears hardly any material to connect her with the offence as alleged and also considering the grant of bail to the co-accused-husband of the deceased, let the petitioner above named, in the event of her arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Barh, Patna in connection with N.T.P.C P.S. Case No. 21 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

