

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73207 of 2023

Arising Out of PS. Case No.-104 Year-2015 Thana- AMNAUR District- Saran

CHINTA DEVI Wife of Bhikhari Rai R/o vill and P.O - Pakri Dih, P.S. -
Amnour, Distt. - saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under section 304B read with Section
34 of the Indian Penal Code.

As per allegation in the FIR, petitioner along with her
family members has tortured in various ways to the deceased due
to non-fulfillment of dowry demand and ultimately she was being
killed by them by strangulation.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. She is mother-in-law of the deceased and has been falsely
implicated in this case. She had never demanded any thing from
the deceased or her family members. She has got no criminal
antecedent. There is no allegation of any specific overt-act against



her. It is further submitted that submitted that charge has already been framed against the petitioner. Co-accused Ravindra Rai @ Nagendra Rai (Husband), Bhikhari Rai (Father-in-law) and Guriya Kumari (Sister-in-law) of the deceased have been acquitted vide S.Tr. No. 612 of 2016 as the witnesses did not support the prosecution case. Moreover, the husband of the petitioner who is father-in-law of deceased has already been enlarged on bail by another co-ordinate Bench of this Court vide order dated 30.05.2017 passed in Cr. Misc. No. 24653 of 2017. Petitioner is an old lady and languishing in judicial custody since 21.07.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IXth, Saran at Chapra in connection with Amnour P.S. Case No. 104 of 2015.

(Sunil Kumar Panwar, J)

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