

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72553 of 2022

Arising Out of PS. Case No.-337 Year-2021 Thana- TRIVENIGANJ District- Supaul

1. SAVITRI DEVI @ SAVITRI KUMARI W/o Shatrughan Prasad Chaudhary
R/o Village- Gandhi Nagar, Ward no.-02, Latauna Road, Triveniganj, P.S.-
Trivenganj, Distt- Supaul.
2. Kajal Kumari W/o Amit Kumar Choudhary R/o Village- Gandhi Nagar,
Ward no.-02, Latauna Road, Triveniganj, P.S.- Trivenganj, Distt- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra,Adv.
For the Opposite Party/s : Mr.Rajendra Singh,APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-05-2023 Heard the learned counsel for the

petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Triveniganj P.S. Case No.337 of 2021, registered for the offences punishable under Sections 494/ 304(B)/ 120(B)/ 34 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein, who happen to be the mother-in-law and the second wife of the main accused i.e. the husband of the deceased victim lady of having tortured and killed



the victim lady on account of non-fulfillment of the demand for dowry.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that the main accused i.e. the husband of the deceased victim lady is already in custody, hence no prejudice would be caused to the prosecution, in case the petitioners are granted the privilege of anticipatory bail. In any case, it is submitted that a general and omnibus allegation has been levelled qua the petitioners herein and they have not been assigned any specific role in the killing of the victim lady. It is also submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 03.04.2023 passed in Criminal Miscellaneous No.67848 of 2022.

Per contra, the learned A.P.P. for the State



has vehemently opposed the prayer for grant of anticipatory bail.

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 parity of the case of the petitioners with that of the co-accused persons, who have already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court, apart from the fact that the main accused i.e. the husband of the deceased victim lady is already in custody, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Supaul, in connection with Triveniganj P.S. Case No. 337 of



2021, subject to the conditions as stipulated under
Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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