

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80537 of 2023

Arising Out of PS. Case No.-85 Year-2020 Thana- KHIRI MORE District- Patna

MANMATIYA DEVI WIFE OF RAMESH YADAV R/O VILLAGE-
TARANPUR, KHANPURA, P.S.- PALIGANJ, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shantam Shivam, Adv.

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in Khirimore P.S.
Case No. 85 of 2020 registered for the offences punishable
under Sections 304(B), 328, 201, 120(B), 34 of the Indian
Penal Code.

3. All the F.I.R. named accused persons including this
petitioner, on non-fulfillment of demand of dowry, in
furtherance of the common intention are said to have committed
murder of the daughter and *natini* of the informant by
administering poison.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
She is mother-in-law of the deceased. She has been falsely



implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. She has no concern with daily affairs of the deceased Rubi Devi and her husband. It is further submitted that co-accused Ramesh Yadav and Paran Yadav @ Navlesh Yadav, who are father-in-law and husband of the deceased Rubi Devi, respectively, have been acquitted from the charges of this case by the judgment dated 20.03.2023 passed in Sessions Trial No. 496 of 2021 and Sessions Trial No. 749 of 2021 as mentioned in Para 8 of the bail application. Petitioner has no criminal antecedent.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioner is serious in nature. The bail application of father-in-law of the deceased Rubi Devi was dismissed as withdrawn as he had been apprehended by the police. It is further submitted that the petitioner has not surrendered before the learned Court below, hence she does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, as petitioner has not surrendered before the learned Court below, I am not inclined to enlarge the petitioner on bail. The prayer for



bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order considering the fact that father-in-law and husband of the deceased Rubi Devi have already been acquitted by the Trial Court.

(Anjani Kumar Sharan, J)

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