

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78564 of 2023

Arising Out of PS. Case No.-291 Year-2023 Thana- DEEPNAGAR District- Nalanda

MANJU DEVI Wife of Pradeep Mistri R/o vill - Deep Nagar, P.S. - Deep Nagar, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-12-2023 Heard the parties.

2. The petitioner apprehends her arrest in connection with Deep Nagar P.S. Case No. 291 of 2023 for the offences registered under Sections 304B/34 of the I.P.C. and under Section 3/4 of the Dowry Prohibition Act lodged on 04.07.2023 by the Informant Manoj Kumar.

3. As per the prosecution story, the unfortunate lady was married to one Dharmendra Kumar. The marriage was solemnized on 28.05.2023 but she was tortured in her in-laws house and on 04.07.2023, the informant came to know about her death and accordingly the F.I.R. was lodged and ultimately she will be facing the trial, this Court is inclined to extend her the privilege of anticipatory bail.

4. Learned counsel for the petitioner submits that she



is the mother-in-law, nothing to do with the present allegations, the husband is already in custody, as stated in Paragraph-11, she had no role to play in the matter.

5. Learned A.P.P. for the State, on the other hand, opposes the prayer for anticipatory bail by stating that she is the mother-in-law.

6. Considering the submissions put forward by the parties, and aware of the fact that the husband is in jail, she is an aged mother-in-law, ultimately she will be facing the trial, this Court is inclined to extend her privilege of anticipatory bail.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of ₹ 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Nalanda at Bihar Sharif in connection with Deep Nagar P.S. Case No. 291 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show her *bona fide*;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

8. With the aforesaid observations, the anticipatory bail application stands allowed.

(Rajiv Roy, J)

Sachin/-

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

