

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.148 of 2023

Arising Out of PS. Case No.-126 Year-2020 Thana- ASANWA District- Siwan

SHUBHAWATI DEVI @ SHUBHANTI DEVI Wife of Sri Nand Ram R/V-
Rampur Udho P.O and P.S- Assaon, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey, Adv.
For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-04-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Assaon P.S. Case no.126 of 2020 registered under sections 304B, 201, 120B and 34 of the Indian Penal Code.

3. As per the prosecution case, the accused persons including the petitioner herein who happens to be the mother-in-law tortured and assaulted the daughter of the informant for non-fulfillment of demand of dowry ie an *Apache* motorcycle. The informant's daughter was done to death.

4. Learned counsel for the petitioner submits that from perusal of the F.I.R. itself, it would transpire that the so called allegation of demand of an *Apache* motorcycle was on the husband and the brother-in-law of the deceased and not the petitioner herein. The allegations against the petitioner is



general and omnibus and she has been falsely implicated only for the reason of her being the mother-in-law. She is in custody since 27.8.2022, has no criminal antecedent, chargesheet has been submitted in the case and large number of other co-accused including the husband Nagendra Kumar Ram has been enlarged on bail vide order dated 4.2.2023 passed in Cr. Misc. no.47122 of 2022.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner, the contents of the F.I.R., the petitioner being the mother-in-law of the deceased, her being in custody for 7 months since 27.8.2022 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Assaon P.S. Case no.126 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan.

(Partha Sarthy, J)

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