

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6170 of 2024

Arising Out of PS. Case No.-214 Year-2023 Thana- JANDAHA District- Vaishali

KANTI DEVI W/O UPENDRA RAI VILLAGE- BAHSI SAIDPUR, PS.
JANDAHA, DIST. VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Dharendra Prasad Sinha, Advocate
For the State	:	Mr. Pramod Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 28-06-2024 Heard learned counsels for the parties.

2. The petitioner apprehends her arrest in a case registered for the offence punishable under Sections 302B and 34 of the Indian Penal Code and Sections 3 and 4 Dowry Prohibition Act.

3. As per prosecution case, daughter of the informant was married with son of this petitioner on 16.04.2019. It is further stated that after marriage, daughter of the informant was also blessed with two children. It is alleged that thereafter this petitioner, along with other co-accused persons, subjected daughter of the informant to cruelty for dowry and on non-fulfillment of the demand of dowry, daughter of the informant was killed by strangulation.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that petitioner is mother-in-law of the deceased and is living separately from his son. Informant is not an eye witness of the occurrence. As a matter of fact, the daughter of the deceased committed suicide. From the F.I.R. itself it is apparent that when the informant reached at the matrimonial house of the daughter, the door of the room was locked from the inside and thereafter the door was broken. It is further submitted that when the informant got to know about the real fact that his daughter had committed, then on 13.10.2023, a joint compromise petition was filed before the learned court below. Petitioner claims clean antecedent.

5. However, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that as per F.I.R., demand for dowry was made by this petitioner, along with other F.I.R. named accused persons, and due to non-fulfillment of demand for dowry, daughter of the informant she was killed. It is further submitted that post mortem report clearly shows that death has been caused due to asphyxia caused by manual strangulation and the dead body was found with cloths in her mouth and pillow was also kept on her face.

6. Considering the rival submissions and nature of



accusation, the prayer for grant of anticipatory bail to the
petitioner is rejected.

(Prabhat Kumar Singh, J)

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