

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6017 of 2024

Arising Out of PS. Case No.-103 Year-2023 Thana- ISHUPUR BARAHAT District-
Bhagalpur

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Sulochana Devi W/o- Nirmal Singh Village-Rifadpur, P.S. Sabour, District-
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate
	:	Mr. Vijay Anand, Advocate
	:	Ms. Diksha Kumari, Advocate
For the Opposite Party/s :	:	Mr. Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-02-2024

1. Heard learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

2. Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

3. The accused/petitioner is named in the F.I.R. and apprehended his arrest in connection with Ishipur (Barahat) P.S. Case No. 103 of 2023 registered for the offences punishable under Sections 498 A, 304 B and 34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

4. The allegation against the petitioner is to cause death of daughter of informant due to non-fulfillment of demand



of dowry alongwith other co-accused persons/family members, where amount not appears specified.

5. Learned senior counsel appearing on behalf of the petitioner submitted that petitioner was not present at her house during the occurrence, rather she was in Rampur Hatt, in connection with offering prayer. It is submitted by learned senior counsel that the allegation as per F.I.R. is appearing very general and omnibus against the petitioner, rather daughter of informant was a lady of short temperament and committed suicide out of routine family frustrations. From the narration of F.I.R., it nowhere reflects that act of petitioner being mother-in-law was so active or direct that same left no any other option except to commit suicide. In support of his submissions learned senior counsel relied upon the legal report of Supreme Court in the matter of **Gurcharan Singh Vs. State of Punjab** reported in **(2020) 10 SCC 200**. While concluding the argument it is submitted that petitioner is a lady of clean antecedent.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances and by taking note of the fact that petitioner is mother-in-law and a lady of clean antecedent having general and omnibus allegation as



per face of F.I.R., accordingly the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Bhagalpur/concerned Court below where the case is pending in connection with Ishipur (Barahat) P.S. Case No. 103 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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