

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17507 of 2024

Arising Out of PS. Case No.-330 Year-2022 Thana- NAUGACHIA District- Bhagalpur

1. Rani Devi Wife Of Subodh Sah @ Subodh Prasad Sah Resident Of Village - Naya Tola, Naugachia, P.S. - Naugachia, District - Bhagalpur
2. Komal Kumari Daughter Of Subodh Sah @ Subodh Prasad Sah Resident Of Village - Naya Tola, Naugachia, P.S. - Naugachia, District - Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar Sinha

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-03-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304B, 498A, 313 and 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and being mother-in-law and unmarried sister-in-law, have been falsely implicated in the present case by the informant. It is next submitted that the informant alleges that his daughter was married to the son of petitioner No. 1 on 6-10-2021 and after marriage, dowry was



being demanded and for non-fulfillment of the same, the victim was tortured. It is next alleged that the victim was also carrying a pregnancy, which was aborted. Lastly, it is alleged that the informant suspects that the victim was thrown from the roof leading to her death.

4. The learned counsel submits that petitioners are innocent and informant is not an eyewitness to the occurrence; and from perusal of the allegation as alleged in the FIR, it would manifest that the victim was taken to the hospital for treatment. It is thus submitted that had the petitioner or the accused persons would have committed the occurrence in that event, the effort would have been made to dispose of the dead body and not to get the victim treated, who died subsequently during the course of treatment. It is also submitted that husband of the deceased, Pappu Kumar @ Pappu Sah, has been granted the privilege of regular bail by a learned co-ordinate Bench by an order dated 19-1-2024 in Cr. Misc. No. 73625 of 2023. It is thus submitted that no useful purpose would be served by sending the petitioners to jail.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned



counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Naugachia P.S. Case No. 330 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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