

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17424 of 2024

Arising Out of PS. Case No.-298 Year-2023 Thana- PATEPUR District- Vaishali

Shiv Kumari Devi W/O Sunil Sharma @ Sunil Thakur R/O Village- Jhapha
Bazar, P.S- Ahiyapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rupesh Kumar, Advocate
For the Opposite Party/s	:	Mr.Mohammed Arif, APP
For the Informant	:	Ms. Suruchi Anand, Advocate
		Ms. Nidhi Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Patepur P.S. Case No.298/2023 lodged on 04.12.2023 under
Sections 304B/120B/34 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against four named accused persons, including the
present petitioner alleging therein that the marriage of the
daughter of the informant was performed with the son of the
petitioner. Thereafter, all the accused persons including the
petitioner started torturing the daughter of the informant for
non-fulfillment of the dowry demand and ultimately they killed
her.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is the mother-in-law of the deceased and on the alleged date of occurrence, the petitioner was not present at the place of occurrence, i.e. the house of the informant. In the FIR, it is categorically stated that there was a scuffling that took place between the husband and the wife (deceased), and the death was caused at that place. The husband of the deceased and the petitioner both are in custody since 05.12.2023. The petitioner being female is aged about 46 years and her antecedent is clean.

5. Learned counsel for the State opposes the prayer for bail.

6. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the marriage of the informant was solemnized with the son of the petitioner and at the instance of her mother, he used to torture his wife (deceased) and all were in connivance with each other demanding the dowry and the death has been caused under a deep-rooted conspiracy.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/-



(Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Vaishali at Hajipur, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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