

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20104 of 2024

Arising Out of PS. Case No.-492 Year-2023 Thana- BANIAPUR District- Saran

Pushpa Devi W/o Rajesh Singh, D/o Naresh Singh R/o Village - Dhobwal
Bazar, Dhanaw, Post - Baniyapur, P.S. - Baniyapur, District - Saran, Bihar -
841403

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Apurva Kumar, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-04-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest in connection with Baniapur P.S. Case No. 492 of 2023 for the offence registered under sections 304B, 201 and 34 of the Indian Penal Code lodged on 11.11.2023 by the informant, Brijnath Singh Kushwaha.

3. As per the prosecution story, the informant alleged that the victim lady was married to Raju Singh in the month of June, 2023 but the accused persons started demanding dowry and on 11.11.2023, the informant came to know about her killing as also the cremation. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that she



is the sister-in-law (*gotni*), living separately and was not present at the time of the incidence.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that she is also the family member of the deceased.

6. Though the allegation is unfortunate, within five months of the marriage, the girl lost her life, this petitioner is a lady, as per the submission is living separately, do not have criminal antecedent, this Court is inclined to extend her privilege of anticipatory bail.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of C.J.M., Saran at Chapra in connection with Baniapur P.S. Case No. 492 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Neha/-

U		T	
---	--	---	--

