

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19980 of 2024

Arising Out of PS. Case No.-273 Year-2023 Thana- PASRAHA District- Khagaria

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1. PUNAM DEVI W/O- SINDHU YADAV R/O- VILLAGE- VEERWAS, P.S.- PASRAHA, DIST.- KHAGARIA.
 2. PRAMILA DEVI W/O- NARESH YADAV R/O- VEERWAS, P.S.- PASRAHA, DIST.- KHAGARIA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-04-2024 Heard Mr. Vivekanand Singh, learned Counsel for
the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Pasraha P.S. Case No. 273 of 2023 for the offence registered under sections 304(B) and 34 of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act lodged on 11.10.2023 by the informant, Shrawan Kumar Sharma.

3. As per the prosecution story, the informant alleged that the co-accused solemnize second marriage with his daughter but was tortured for dowry and within ten months, he got information about her death. Accordingly, the F.I.R.

4. Learned Counsel for the petitioners submit that it



was a case of suicide, the girl was depressed for which the entire family members have been implicated. It is his submission that the husband, Sindhu Yadav has surrendered before the Court and is now in judicial custody.

5. The two petitioners are mother-in-law (*saas*) and second wife of Sindhu Yadav and they have no role to play in the matter.

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that within ten months of marriage, the second wife died.

7. Taking into account the submissions as also the fact that the husband is in judicial custody now as submitted by the learned Counsel for the petitioner, Mr. Vivekanand Singh, the two petitioners herein are ladies, do not have criminal antecedent, F.I.R. lodged will be ultimately facing the trial, this Court is inclined to extend them privilege of anticipatory bail.

8. Let the petitioners 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 Judicial Magistrate, 1st Class, Khagaria in connection with Pasraha P.S.



Case No. 273 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 petitioners, who shall provide official document to show
their *bona fide*;

(ii) the petitioners 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 their
bail bond by the Trial court itself;

(iii) the petitioners 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 their bail bonds;

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

(Rajiv Roy, J)

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