

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28857 of 2024

Arising Out of PS. Case No.-354 Year-2023 Thana- BARHARA KOTHI District- Purnia

Shanti Devi Wife of Pradeep Mandal Resident of Village- Orlaha Ward No. 2,
P.S.- Barahara Kothi (Raghuvanshnagar O.P.), District- Purnea

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate
For the Opposite Party/s : Mrs. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-05-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Barahara (Raghuvanshnagar O.P) P.S. Case No. 354 of 2023 for the offence registered under sections 304(B)/34 of the Indian Penal Code lodged on 12.10.2023 by the informant Babita Devi.

3. As per the prosecution story, the informant alleged that the informant got married to Rakesh Mandal in the year 2021 but was always tortured for dowry and on 11.10.2023, the locals informed that her daughter is death. When they came to the in-laws house saw her dead body with black mark on the neck. Accordingly, the police was called and FIR lodged.

4. Learned Counsel for the petitioner submits that it



was a case of suicide, an unfortunately incident and now the in-laws have been implicated. The husband is in custody since 21.12.2023 (as stated in paragraph-15 of the petition). This petitioner is the mother-in-law, living separately from the couple and had no role to play.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that the allegation is also against the mother-in-law.

6. Taking into account the aforesaid facts, the husband is in custody, she is a mother-in-law, do not have criminal antecedent, FIR lodged and he will be facing the trial, this court is inclined to extend her the privilege of 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 Chief Judicial Magistrate, Purnea in connection with Barhara (Raghuvanshnagar O.P.) P.S Case No. 354 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 her



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 her 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)

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