

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39823 of 2024

Arising Out of PS. Case No.-145 Year-2023 Thana- SANDESH District- Bhojpur

Manju Devi, wife of Mantu Yadav, Resident of Village- Sundarpur, P.S.
Sandesh, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 03-07-2024 Heard Mr. Dharmesh Kumar Shrivastava, learned
counsel appearing on behalf of the petitioner and Mr. Tapeswar
Sharma, learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Sandesh P.S. Case No. 145 of 2023, registered for the offences
punishable under Sections 304(B) and 201/34 of the Indian
Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. As per the allegation made in the FIR, the petitioner
along with all the family members has committed murder of the
deceased, who is the sister of the informant, for the alleged non-
fulfilment of demand of dowry.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is mother-in-law of the
deceased, who was living separately from her son and the



deceased (daughter-in-law). In this regard, the petitioner has made specific statement in paragraph no. 8 of the bail application. It has further been submitted that petitioner was not present at the time of alleged occurrence and she claimed that it occurred due to fall of the wooden ladder from the roof on the body of the deceased. The petitioner has clean antecedent. On these grounds, the learned counsel seeks the petitioner to be released on pre-arrest bail.

5. *Per contra*, learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail and submitted that after the murder of the deceased, her dead body was disposed of by the petitioner.

6. Considering the submissions made on behalf of both the parties, I am of the opinion that the petitioner does not deserve to be released on pre-arrest bail. However, considering the fact that petitioner has made specific statement in paragraph no. 8 of the bail application that she was living separately from the family of her son, namely, Munna Kumar, who is the husband of the deceased, the petitioner is directed to produce all the valid documents relating to her partition from Munna Kumar, who is her son, before the learned District Court and in such circumstances, the learned District Court may take



conscious decision in accordance with law and pass necessary order on the day, the petitioner files regular bail application for her release.

7. With the above observations/directions, the present bail application stands disposed of.

(Purnendu Singh, J)

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