

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.46111 of 2024

Arising Out of PS. Case No.-112 Year-2024 Thana- KARAHGAR District- Rohtas

Taramuni Devi @ Asmita Devi W/o Sri Anil Paswan R/o village Baur,P.S.-
kargahar, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritvik Thakur, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-07-2024 Heard Mr. Ritvik Thakur, learned Counsel for the

petitioner and Mr. Narendra Kumar Singh, learned APP for the

State.

2. The petitioner apprehends her arrest in connection
with Kargahar P.S. Case No. 112 of 2024 for the offence
registered under sections 302, 304(B), 120(B) and 34 of the
Indian Penal Code lodged on 09.04.2024 by the informant,
Mantu Paswan.

3. As per the prosecution story, the informant alleged
that his sister was married to Sumit Paswan on 02.05.2023 but
was tortured for dowry, she was also pregnant at that time,
information received about her death when he visited the place
alongwith family members found her lying on the ground and
after postmortem, the informant refused to accept the body
which was cremated by the accused persons whereafter the
F.I.R.

4. Learned Counsel for the petitioner submits that she
is the sister-in-law (*gotni*), living separately, a perusal of the



F.I.R. would show that she committed suicide, the family members informed, postmortem was conducted and it was the accused's family who consigned the mortal remains of the deceased. The further submission is that the husband is in custody since 10.04.2024 (paragraph-19 to the petition).

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that as per the learned Sessions Judge order, it was the petitioner who strangled the lady. Mr. Ritvik Thakur, learned Counsel for the petitioner counters the same and submits that it is an incorrect statement and he makes a categorical submission that the postmortem report says that she died of asphyxia.

6. Taking into account the aforesaid facts as also that the petitioner is a lady, sister-in-law, having no criminal antecedent and is of young age, the husband is in custody, she will be diligently appear in trial, 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 Additional Chief



Judicial Magistrate IV, Rohtas at Sasaram in connection with Kargahar P.S. Case No. 112 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives 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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