

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42836 of 2024

Arising Out of PS. Case No.-178 Year-2023 Thana- MOUZAHDIPUR District- Bhagalpur

LALITA DEVI W/O SHYAM SUNDER CHAUDHARY R/O CODADIH,
P.S- JASIDIH, DISTT.- DEOGHAR (JHARKHAND).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-06-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 498(A), 306 and 120(B) of the Indian Penal Code as well as Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and being the mother-in-law of the deceased came to be implicated in the instant case by the informant. It is further submitted that daughter of the informant was married to the son of the petitioner in the year 2022 and the informant alleges that after marriage, the accused persons including the petitioner were demanding dowry of Rs.1 lakh, LCD TV and a Bullet Motorcycle and on non-fulfillment of the demand, she was



being tortured. Further, on 12.05.2023, the informant got an information that his daughter was admitted in JLNMCH, Bhagalpur Hospital for treatment, accordingly, the informant along with others reached the hospital where he came to know that his daughter committed suicide on account of torture being meted out by the accused persons including the petitioner.

4. Learned counsel for the petitioner submits that the deceased was posted with the R.P.F. at Bhagalpur where she was staying alone and the petitioner works as Anganwari Sevika in the State of Jharkhand. It is further submitted that when the occurrence took place, the deceased was alone in the house. It is next submitted that father of the deceased is a drunkard and he used to forcefully take the salary which she received, accordingly, being frustrated by the conduct of her father she committed suicide. It is also submitted that what is not in dispute rather stands admitted is that the deceased was staying alone at Bhagalpur where she was posted with the R.P.F. and the petitioner was working in the State of Jharkhand as such when the occurrence took place no one was present in the house of the deceased. It is further submitted that the allegation of demand of dowry is general and omnibus in nature. It is next submitted that the daughter of the informant was taken to the hospital for



treatment by the staff of the R.P.F.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the marriage of the deceased with the son of the petitioner was performed in the year 2022 and within a very short span of time, the deceased committed suicide. It is further submitted that even presuming what has been submitted by the learned counsel appearing on behalf of the petitioner is true but then the daughter of the informant committed suicide and the responsibility lies on the family, especially the husband. It is next submitted that it appears that the husband and his family members created conditions conducive for the deceased to take her life.

6. The said submission of the learned A.P.P. is rebutted by the learned counsel appearing on behalf of the petitioner and it is submitted that even the husband has moved before an appropriate forum seeking anticipatory bail but the same was rejected by the learned District Court against which the husband of the deceased is contemplating to move before this Court after obtaining all the relevant papers. It is also submitted that petitioner will not abscond rather will cooperate in the investigation.

7. Considering the submissions made by the learned



counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mojahidpur P.S. Case No. 178 of 2023, G.R. No. 2977 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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