

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52873 of 2024

Arising Out of PS. Case No.-226 Year-2023 Thana- MAHUA District- Vaishali

Arti Kumari, Wife Of Jitendra Jha, Village- Bishnupur Bejha, Ps- Mahua,
Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No. II, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this present case, the petitioner is apprehending her arrest in connection with Mahua P.S. Case No. 226 of 2023, registered for the offences under Sections 302, 201, 120(B)/34 of the Indian Penal Code.

3. As per prosecution case, sister of the informant was killed by the petitioner and other co-accused persons on account of non-fulfillment of dowry demand. They also disposed of the dead body of the sister of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Moreover, there is no question of any demand of dowry after 12 years of marriage and there are three sons out of the



wedlock of the deceased and her husband. Petitioner is the sister-in-law (*gotini*) of the deceased and she lived separately from the deceased and her husband. It is an out and out case of false implication. Learned counsel further submits that the informant also participated in the last rites of the deceased. Husband of the deceased has been granted bail by this Court vide order dated 02.08.2024 passed in Cr. Misc. No. 41286 of 2024. Other co-accused persons have also been granted anticipatory bail by a Co-ordinate Bench of this Court as well as by this Court vide order dated 18.10.2023 passed in Cr. Misc. No. 63796 of 2023 and order dated 27.02.2024 in Cr. Misc. No. 57724 of 2023, respectively. The petitioner has got no criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner is stated to be sister-in-law of the deceased and allegations are general, vague and non-specific against the petitioner and also considering the clean antecedent of the petitioner coupled with possibility of false implication, let the petitioner above named, in the event of her arrest or



surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Vaishali, Hajipur/concerned court in connection with Mahua P.S. Case No. 226 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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