

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56753 of 2024

Arising Out of PS. Case No.-89 Year-2022 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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Manorama Devi, W/O Late Chandradev Pandit, R/O Village- Thebhay, P.S-
Parbatta, Distt.- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Archana Kumari, W/o Shailesh Pandit, R/o Village- Thebhay, P.S- Parbatta,
Distt.- Khagaria. At Present D/o Vinay Pandit, R/o Village- Hajipur, P.S And
Distt.- Khagaria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar, Advocate Mr. Ramesh Kumar Singh, Advocate
For the State	:	Mr. Binod Kumar No.3, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 05-09-2024 Heard Mr. Mukesh Kumar, learned counsel for the

petitioner and Mr. Binod Kumar No.3, learned APP for the

State.

2. The petitioner apprehends her arrest in connection

with Complaint Case No. 89 C of 2022 dated 01.02.2022

registered for the offences punishable under Sections 323 and

498 A of the Indian Penal Code and Sections 3 and 4 of the

Dowry Prohibition Act.

3. Learned counsel appearing for the petitioner submits

that the petitioner is mother-in-law of the complainant (O.P.

No.2) and the allegation of cruelty for non-fulfillment of



demand of dowry is totally false as neither the petitioner nor any of her family member has ever done cruelty in any form or ill behaved with the complainant, in fact, the petitioner is living separately from the husband of the complainant and she has no concern with the affairs of his son who is the husband of the complainant. Learned counsel further submits that the complainant and her parents asked her husband to get all of his property registered in favour of the complainant and the husband of the complainant to live in her parental house as *gharjamai* but the husband of the complainant was not ready to do so. It is further submitted that the complainant is a women of modern mentality and she herself left her matrimonial house on her own sweet will.

4. Learned APP for the State has opposed the prayer for bail of the petitioner.

5. Having considered the submissions noted hereinabove and mainly the facts that the instant case is based on a complaint and petitioner is mother-in-law of the complainant (O.P. No.2) and she has no concern with the affairs of the complainant's husband, in my opinion, it is a fit case for anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, 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 Court concerned in connection with Complaint Case No. 89 C of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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