

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58811 of 2024

Arising Out of PS. Case No.-673 Year-2023 Thana- KUDHNI District- Muzaffarpur

Banarshi Devi wife of Shri Vinod Ray Village- W.no-14, Ladvariya Pakahi @
Asadpur Pakauli Ps- Kudhani Dist- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushbu Kumari W/o- Late Ranjan Kumar R/o- W.No-14, Ladvariya, Pakahi @ Asadpur Pakauli Ps- Kudhani Dist- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rohit Mishra

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 11-09-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Kudhani Police Station Case No. 673 of 2023, dated 01.11.2023, disclosing offences punishable under Sections 420/376/313/323 of the Indian Penal Code and Sections 3/4 Dowry Prohibition Act.
3. The prosecution case, as per the First Information Report, is that after the death of the husband of the informant, her brother-in-law (devar) promised that he would marry her and on that pretext, he established physical relationship with the informant, due to which she became pregnant,



which was aborted under the conspiracy of the petitioner, who is the mother-in-law of the informant. The informant has further alleged that the accused persons were demanding dowry for the marriage and the informant has apprehension that the petitioner will perform marriage of her son somewhere else.

4. Learned Counsel for the petitioner submits that the petitioner happens to be the mother-in-law of the informant and she has falsely been implicated in this case due to family dispute. There is no material to support the conspiracy against the petitioner and the allegation against the petitioner is vague and concocted.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of allegation and the fact that the petitioner is the mother-in-law of the informant, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of her arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties



of the like amount each to the satisfaction of learned Sub
Divisional Judicial Magistrate (West), Muzaffarpur, in
connection with Kudhani Police Station Case No. 673 of
2023, subject to the condition laid down under Section
438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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