

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57988 of 2024

Arising Out of PS. Case No.-123 Year-2017 Thana- AMBA District- Aurangabad

Renu Kuer @ Renu Devi Daughter of Amira Singh, Resident of Village -
Sonbarsa Dehri, P.S. - Amba, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Amba P.S. Case No.123 of 2017 instituted under Sections
304(B), 201/34 of the Indian Penal Code.

3. As per the prosecution case, the sister of the
informant was married with Dinesh Kumar Singh in the year
2004. It is alleged that the deceased was being ill treated and
subjected to cruelty by the petitioner for demand of dowry and
due to non-fulfillment of same, the accused persons including
the petitioner killed the deceased on 16.09.2017 and cremated
her dead body with an intention to destroy the evidence of
crime.

4. Learned counsel for the petitioner submits that



petitioner is married sister-in-law of the deceased and she has no concern with the family affairs of the deceased and his brother. He further submits that the petitioner has not demanded any dowry as alleged in the F.I.R. and she lives in her in-laws house (*Sasural*) after her marriage. Learned counsel submits that the Police after completion of investigation submitted the final form on 19.11.2017, however, the cognizance against the petitioner was taken on 04.11.2023 by the learned Court concerned. It is also submitted that there is no material against the petitioner and only on the basis of suspicion, the petitioner has been made accused in this case. He further submits that more than 7 years has already been completed after the marriage of deceased and the alleged crime took place after about 13 years, accordingly Section 304 (B) of I.P.C. is not applicable in the facts and circumstances of the case. Petitioner is a lady having no criminal antecedent and she undertakes to cooperate in the trial of the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks



from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Amba P.S. Case No.123 of 2017, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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