

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65843 of 2024

Arising Out of PS. Case No.-72 Year-2024 Thana- Madhusudanpur District- Bhagalpur

Munni Khatoon @ Bibi Munni W/O- Md. Suleman, R/o Moh- Rahmat Bagh,
PS- Madhusudanpur, Dist- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mrs. Huma Younus, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-10-2024 Heard Mrs. Huma Younus, the learned counsel for the petitioner, the learned counsel for the informant and Mr. Pranav Kumar, the learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Madhusudanpur PS Case No. 72 of 2024, FIR dated 09.06.2024, registered for the offence punishable under Section 304(B) read with Section 34 of the Indian Penal Code.

3. According to the prosecution case, sister of informant was subjected to torture and abuse by her in-laws over non-fulfillment of dowry demand and later informant came to know that her sister has committed suicide.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and upon



perusal of the FIR, it appears that there is no specific allegation of any assault or overt act or demand of dowry attributed against the petitioner. She lastly submits that the husband of the deceased, who happens to be the son of the petitioner is in judicial custody since 10.06.2024.

5. The learned counsel for the informant as well as the learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner is named in the FIR and she is the mother-in-law of the deceased, apart from that, petitioner carries one criminal antecedent other than the present one, however, he fairly admits that petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above-named, in the event of her arrest or surrender before the learned trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur, where the case is pending in connection with **Madhusudanpur PS Case No. 72 of 2024**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following



conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the learned trial Court.

(ii). If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii). And further condition that the learned trial Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed her criminal antecedent, the learned trial Court shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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