

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68783 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- SANHAULA District- Bhagalpur

Haho Devi, Wife of Sakaldeep Mandal, Resident of Village -Vishwaspur, PS-
Sanhaulla, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Adv.

For the Opposite Party/s : Mrs. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 20-11-2024 Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Sanhaulla P.S. Case No. 61 of 2024 dated 29.04.2024 registered
for the offence punishable under Section 304B read with Section
34 of the Indian Penal Code.

3. The main submissions advanced by learned counsel
for the petitioner are that the petitioner is the mother-in-law of
the deceased, the husband of the deceased is in jail, in the FIR
there is no specific allegation against this petitioner, in fact there
was love marriage between the deceased and petitioner's son
and after marriage some dispute arose in between them, owing
to which the deceased herself committed suicide and only one
ligature mark was found around the neck of the deceased and



except this, no any kind of injury on the body of the deceased was found and the cause of death of the deceased was opined due to Asphyxia and shock due to pressure and compression of neck by a ligature material i.e. antemortem hanging.

4. On the other hand, learned APP for the State submits that the instant matter relates to the serious offence of dowry death and the victim died an unnatural death within two months of her marriage and as per allegation, the petitioner was also involved in torturing the victim for the demand of dowry, so, she does not deserve to the privilege of bail at this stage.

5. Heard both the sides and perused the FIR and the case diary of this case. Though, the instant matter relates to dowry death but as the petitioner is said to be a lady and against her the investigation has been completed and in the FIR any specific role of the petitioner in committing cruelty to the deceased for the alleged demand of dowry has not been revealed and the husband of the deceased is already in jail, in my opinion, in the said circumstances, a lenient approach can be taken in respect of petitioner's prayer. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs.20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the



concerned Court in connection with Sanhaulla P.S. Case No. 61 of 2024 **on the condition that** the bail bond will be accepted after framing of charge.

6. The trial court is directed to take steps for framing of charge upon the petitioner as per the procedure of law. If due to unavoidable circumstance, the charge is not framed upon the petitioner within the period of one month then in such a situation, after expiry of the said one month period, the bail bond of the petitioner will be accepted.

(Shailendra Singh, J)

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