

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68589 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- HASANPUR District- Samastipur

Rupam Kumari Wife of Sri Vijay Kumar Paternal home resident of Village -
Sihi, P.S. - Hasanpur, District - Samastipur, at present resident of Village -
Ijraha, P.S. - Chhorahi, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Adv.
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP
For the Informant : Mr. Jagdish Prasad Singh, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State as also learned counsel for the Informant.

2. The petitioner apprehends her arrest in connection
with Hasanpur P.S. Case No. 58 of 2024 (G.R. No. 502 of 2024)
registered for the offences punishable under Sections 304-B,
201, 498A/34 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of demanding Rs.
5,00,000/- as dowry from the Informant's sister and when the
same was not fulfilled, they tortured her mentally and physically
and ultimately killed her.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against her and has falsely been implicated in the present case. The petitioner is the married sister-in-law (*Nanad*) of the deceased and her marriage was solemnized 11 years back prior to the alleged occurrence and is living separately at other place. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. He submits that as a matter of fact, on the day of occurrence, the deceased had actually consumed some poisonous substance in a fit of rage following some dispute between the husband and wife but, the entire family members of the matrimonial home have been implicated in this case by the Informant. The deceased died in course of treatment and her family members were also present at that time. The husband of the deceased is already in custody since 15.07.2024. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application.

5. Learned A.P.P. for the State and the Informant oppose the prayer for anticipatory bail of the petitioner, stating that the nature of offence as alleged is serious. The petitioner is named in the F.I.R. and, hence, she does not deserve



anticipatory bail.

6. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner as also there being no specific or direct allegation of any overt act against her, let the petitioner above-named, 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 learned court below where the case is pending/successor court in connection with Hasanpur P.S. Case No. 58 of 2024 (G.R. No. 502 of 2024), subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

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