

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67102 of 2024

Arising Out of PS. Case No.-197 Year-2024 Thana- FATEHPUR District- Gaya

Deventi Devi @ Lali Devi W/O Krishna Chaudhary R/O Village- Meharpur,
P.S- Fatehpur, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Subhash Kumar
For the State	:	Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 21-10-2024 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 Fatehpur Police Station Case No. 197 of 2024, dated 05.04.2024, disclosing offences under Sections 304-B/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the marriage of the informant's sister was solemnized with co-accused Raju Kumar in the year 2021. After marriage the petitioner, along with other accused persons, started torturing and harassing the informant's sister mentally and physically for dowry and due to non-fulfillment of the demand of dowry,



informant's sister was killed by the petitioner and other co-accused persons on 05.07.2024.

4. Learned Counsel for the petitioner submits that the petitioner is mother-in-law of the deceased (informant's sister) and has not committed any offence in the manner alleged. He next submits that allegation that the petitioner demanded dowry is not true and no specific allegation is there against her. He further submits that the deceased has committed suicide as she was in love with another person and her marriage was performed against her will. He also submits that the informant is not the own brother of the deceased and the parent of the deceased has not lodged complaint.
5. I have heard learned counsels for the parties and perused the materials available on record.
6. From perusal of the impugned order, it appears that within four years of marriage the deceased has an unnatural death died in her matrimonial home. The nature of the death is not important whether it is homicidal, suicidal or accidental, but the fact is that deceased has died an unnatural death within four years of her marriage. There is presumption against the accused persons under Section 113-A and 113-B of the Evidence Act, 1872. The petitioner mother-in-



law and there is allegation against her that she, alongwith others, demanded dowry from the deceased. Accordingly, I am not inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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