

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69790 of 2024

Arising Out of PS. Case No.-240 Year-2023 Thana- PAKRIDAYAL District- East Champaran

Kanti Devi @ Seema Devi Wife of Binod Manjhi Resident of Village- Sripur,
Nawada, P.S.-Pakaridayal, District-East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Adv.

For the Opposite Party/s : Mr.Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-10-2024 Learned counsel for the petitioner is directed to make

necessary correction in paragraph no. 16 of the bail petition

during the course of the day.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. In the present case, the petitioner seeks bail in
connection with Pakaridayal P.S. Case No. 240 of 2023,
registered for the offences under Sections 304(B) and 34 of the
Indian Penal Code.

4. As per the prosecution case, the daughter of the
informant was married with co-accused Bigu Manjhi and
allegation against petitioner and other co-accused persons is that
of torturing the daughter of the informant on account of their
demand of dowry and lastly, the daughter of the informant was
killed in her matrimonial home within four years of marriage.



5. Learned counsel appearing on behalf of the petitioner submits that the petitioner is mother-in-law of the deceased and she has not committed any offence and has been falsely implicated in this case. The petitioner never demanded any dowry and never tortured the deceased. The petitioner has been made accused only due to the fact that she is mother-in-law of the deceased and there is no other material to show the involvement of the petitioner. Learned counsel further submits that from the FIR it is clear that the deceased might have committed suicide. There is no eyewitness to the occurrence and no specific over act has been assigned to the petitioner. Husband of the deceased is already in jail and this petitioner is in custody since 21.11.2023.

6. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that the petitioner and other co-accused persons have been specifically named for causing dowry death of the daughter of the informant.

7. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that petitioner is the mother-in-law of the deceased and allegations are general and omnibus against the petitioner and



also considering the period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned 2nd Addl. District and Sessions Judge, East Champaran, Motihari/concerned court, in connection with Pakaridayal P.S. Case No. 240 of 2023, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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