

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1486 of 2024**

Arising Out of PS. Case No.-304 Year-2022 Thana- SHERGHATI District- Gaya

Manju Devi Wife Of Rajesh Yadav Resident Of Village- Gopalpur, P.S.-  
Barachatti, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Md. Jubair Ansari, Advocate

For the Opposite Party/s : Mr.Rabindra Kumar,APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

6      18-07-2024                      Heard Mr.Md. Jubair Ansari, learned counsel for the  
  
petitioner and Mr.Rabindra Kumar, learned Additional Public  
  
Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Sherghati P.S.Case No.304 of 2022,FIR dated 20.04.2022 registered for the offences punishable under Sections 304(B),34 of IPC.

3. According to prosecution case, petitioner alongwith other accused persons have committed the dowry death of the daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and she has falsely been implicated in the present case merely on the ground that the petitioner is mother-in-law of the deceased. Further submits that



from a bare perusal of the FIR it appears that there is no specific allegation of any assault, overt-act or demand of dowry attributed against the petitioner rather there is specific allegation of assault or demand of dowry attributed against co-accused persons, namely, Vikash Kumar, Vishal Kumar and Bholi Kumar. There is general and omnibus allegation against the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is no specific allegation of any assault, overt-act or demand of dowry attributed against the petitioner and she is mother-in-law of the deceased, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sherghati, Gaya in connection with Sherghati P.S.Case No.304 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-



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

(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 court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below 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)**

Nitesh/-

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