

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3871 of 2024

Arising Out of PS. Case No.-644 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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Niraj Devi W/O SUNIL SHUKLA VILLAGE- PATAURA, MATHIYA, PS.
MUFFASIL, DIST. EAST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehend her arrest in a case registered
for the offences punishable under Sections 328, 304(B)/34 of
the Indian Penal Code.

3. All the F.I.R. named accused persons including the
petitioner, on non-fulfillment of demand of dowry, in
furtherance of the common intention are said to have committed
murder of the daughter of the informant after administering
poison to her.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and she has committed no
offence. No such occurrence as alleged ever took place.
Petitioner has been falsely implicated in this case due to



ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. She is mother-in-law of the deceased. She has no role in the alleged occurrence. The real fact is that the deceased died due to Uterus Cancer. The husband of the deceased is already in judicial custody since 08.09.2023. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner and the husband of the deceased is already in judicial custody, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Motihari Muffasil P.S. Case No. 644 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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