

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1076 of 2024

Arising Out of PS. Case No.-424 Year-2023 Thana- SHEKHPURA District- Sheikhpura

Dano Devi @ Sawita Devi wife of Sagar Yadav R/o VILLAGE NIRPUR PS
SHEIKHPURA DISTRICT SHEIKHPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinkar Kumar, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 07-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 498(A),
304(B) and 302/34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is mother-in-law
of the deceased. It is further submitted that informant alleges
that his daughter was married to Pankaj Kumar on 15.07.2021
and after marriage the accused persons including the petitioner
started demanding a vehicle and when the informant expressed
his inability to pay the money the accused persons started
assaulting and torturing the deceased, further efforts were made
to settle the dispute but the accused persons remained adamant.
Further the deceased gave birth to a son but on 10.07.2023 the



informant got an information that his daughter has been murdered by her husband and the accused persons and the dead body has been thrown on the railway line and when the villagers came to know about this, the dead body was brought to the house and was hanged from the fan accordingly the informant reached the place of occurrence and saw the dead body.

4. Learned counsel submits that petitioner, being the mother-in-law of the deceased, has been falsely implicated by the informant. It is further submitted that it absolutely does not stand to reason that if after committing murder of the deceased, the dead body was thrown on the railway line and even subsequently it was brought by the villagers then why the accused persons would have hanged the dead body. It is next submitted that the informant is not an eyewitness to the occurrence and the demand of dowry and torture is general and omnibus in nature. It is also submitted that whenever such occurrence takes place the entire family members of the husband of the deceased are implicated. It is further submitted that petitioner will not abscond rather will cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



6. Considering the submissions made by the learned counsel for the petitioner, 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 Sheikhpura P.S. Case No. 424 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the investigating officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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