

In the Court of Sessions Judge, Darbhanga, Bihar.

A.B.P. No. 2355/2022

In the matter of :-

1. Manju Devi, W/o Sushil Sah-----**Petitioner.**
Vrs.

The State of Bihar -----**Opposite Party.**

Learned counsel for the petitioner : Shri K. K. Mishra, Advocate.

Learned counsel for Opp.Party : Shri Nasiruddin Haider, P.P.

ORDER

14-02-2023. Heard the learned counsel for petitioner as well as learned P.P. for the state on the anticipatory bail petition filed on behalf of above named accused/petitioner who is apprehending her arrest in connection with Simri P.S. Case No. 153 of 2022 offence u/s 304(B), 120(B)/34 of the IPC.

Prosecution case in brief is that, the daughter of the informant was married with Nagendra Sah. After marriage all the accused persons including petitioner demanded gold jewelery and motorcycle as dowry from his daughter and tortured her due to non-fulfillment of demand of dowry. It is further alleged that on 09-08-2022, all the accused persons tortured the victim girl and her husband administrated poisonous substance to her. The victim succumbed in course of treatment.

Learned counsel for petitioner submitted that petitioner is innocent and she has committed no offence. All the allegations leveled against petitioner are false, baseless and concocted. The petitioner is living in her matrimonial home since last 20 years and she has no manner of concern with alleged occurrence. The petitioner has been falsely been implicated in this case due to village politics. The petitioner has no criminal antecedent. It is, therefore, prayed to enlarge the petitioner on anticipatory bail.

The learned Public Prosecutor opposed the prayer for bail.

Heard the parties and perused the record. From perusal of the FIR as well case diary it appears that petitioner is named in the FIR and there is common allegation of demand of dowry and torturing against the accused persons including petitioner. According to para-04 of the case diary, the informant died on 10-08-2022 at D.M.C.H. during the course of her treatment. The witnesses mentioned in para 8, 9, 10, 19, 20 of the case diary have supported the prosecution case. As per inquest report mentioned in para-5 of the case diary, cause of death is administering poisonous substance. The investigation is still proceeding. The allegation against petitioner is heinous in nature.

Considering the aforesaid facts and circumstances of the case and gravity of offence, I am not inclined to enlarge the petitioner on anticipatory bail and the same is hereby **rejected**.

(Dictated)

Sessions Judge,
Darbhanga.
14-02-2023