

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45236 of 2014

Arising Out of PS.Case No. -20 Year- 2014 Thana -NAVHATTA District- SASARAM (ROHTAS)

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Shakuntala Devi W/o Birendra Sharma resident of village- Nauhatta, P.S.-
Nauhatta, District- Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay, Advocate.

For the O.P./s : Mr. Shardanand Jha(APP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 07-05-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner, being the mother-in-law, for offence under Section 304(B)/34 and 498A of the Indian Penal Code and Section 3 and 4 of the Dowry Prohibition Act and the fact that both the male members of the family namely Shambhu Saran (husband of the deceased) and Birendra Sharma (father-in-law) have already surrendered, this Court, by taking into account the omnibus allegation against the petitioner as also she having no criminal antecedent, would direct that if the petitioner, namely, Shankuntala Devi, surrenders before the court below within a period of four weeks from today, she shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Sasaram in connection with Nauhatta P.S.Case No. 20/2014, subject to the following conditions:

(i) That both the bailors will be close family relatives of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the affidavit shall clearly state that the petitioner is not accused in any other case and if she is, she shall not be released on bail.

(iii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioner is implicated in any other case of similar nature after her release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of her bail on the ground of misuse.

(iv) That the petitioner will be well represented on each and every date in course of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

Sujit/-

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