

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49526 of 2014

Arising Out of PS.Case No. -62 Year- 2014 Thana -ARER District- MADHUBANI

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Ram Sakhi Devi wife of Satto Thakur, resident of Village - Nagbas, P.S.-
Arer, District - Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md.Imteyaz Ahmad, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 03-03-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 498A, 436/34 of the Indian Penal Code as also under Section 3/4 of the Dowry Prohibition Act.

It is submitted that the petitioner happens to be the mother-in-law of the informant and allegations against all the accused persons in the FIR (Annexure-1) are general and omnibus in nature. It is highlighted that the petitioner is in judicial custody since 18.08.2014 and co-accused Satto Thakur, husband of the present petitioner with almost identical allegations, has already been granted bail by a Bench of this Court vide order dated 18.12.2014 passed in Cr.Misc.No. 50626 of 2014.

Taking into consideration the aforesaid submissions, which are not being disputed by learned Addl.P.P. appearing on behalf of the State, the prayer for bail of the petitioner is allowed. The above named petitioner is ordered to be released on bail on furnishing bail bond of Rs.25,000/-(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of

learned Chief Judicial Magistrate, Madhubani in Arer P.S.Case No. 62 of 2014, subject to the following conditions:

(A) one of the bailors must be government servant or close family member of the petitioner who will file an affidavit in the court below showing his/her relationship with the petitioner,

(B) if the petitioner is found involved in same and similar nature of cases in future, then in that case, the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned, and

(C) the petitioner shall make regular pairvi in the court below in the present case either by appearing herself in person or through representation by her lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Prasad Verma, J)

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