

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.18555 of 2015**

Arising Out of PS.Case No. -295 Year- 2014 Thana -RAHUI District- NALANDA  
(BIHARSHARIFF)

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Kaushilya Devi @ Koushilya Devi, aged about 80 years, W/o - Late  
Jogendra Prasad Resident of : Village- Itasang, P.S. - Rahui, District-  
Nalanda, Bihar ..... Petitioner

Versus

The State of Bihar ..... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Shambhu Prasad Kunwar

For the Opposite Party/s : Mr. Gajendra Pd.Yadav(App)

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**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**

**ORAL ORDER**

2 15-06-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under section 304B/34 of the Indian Penal Code and that the petitioner is the mother-in-law and whatever allegations have been made in the F.I.R. would only make the husband, son of the petitioner, namely, Ilipiston Prasad, basically liable, this Court keeping in view that the petitioner also has got no criminal antecedent would be inclined to grant anticipatory bail.

That being so, if the petitioner, Kaushilya Devi @ Koushilya 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda, Bihar Sharif in Rahui P.S.Case No. 295/2014, subject to the following conditions:

(i) That both the bailors will be a close relative of the petitioner who will give 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 bailor shall also state on affidavit that he 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 bail on the ground of misuse.

(iii) That the petitioner will give an undertaking that she will receive the police papers on the given date and be present on the date fixed for charge and if she fails to do so on two given dates and delays the trial in any manner, her bail will be liable to be cancelled for reasons of misuse.

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

**(Mihir Kumar Jha, J)**

surendra/-

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