

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21844 of 2016

=====

1. Bedamiya Devi @ Badamia Devi W/o Mathura Yadav, Resident of
village- Raigni, P.S. Fatehpur, District- Gaya Petitioner

Versus

1. The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Kamal Kumar Sinha

For the Opposite Party/s : Mr. Aditya Narayan Singh-I(App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 15-07-2016

Heard learned counsel for the petitioner and learned

counsel representing the State.

The petitioner seeks bail in connection with Fatehpur P.S. Case No. 320 of 2015 registered for the offences punishable under Sections 304B, 201/34 of the Indian Penal Code.

Kiran Devi was married to Dipu Yadav the son of the petitioner five years ago and later on allegedly, the husband and other in-laws including the petitioner started torturing and assaulting her for dowry and due to non-fulfillment of demand of motorcycle and TV she and her child were killed and dead bodies were thrown into the well.

Submission is of false implication and that the petitioner is old mother-in-law, she has got no concern with the deceased and her husband, there is no specific allegation against her, during investigation the witnesses Ram Bilash Yadav, Nageshwar Yadav, Prasadi Yadav, Lakhan Yadav vide paragraph 8 to 11 have stated that the deceased jumped into the well with her one and half years son and earlier also

she had made an attempt to jump into the well but at that time she was saved by the villagers, cause of death has also been found due to drowning, the petitioner is suffering in custody since 02.03.2016 and as such she deserves sympathetic consideration.

Learned APP opposes the prayer for bail.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Fatehpur P.S. Case No. 320 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on her part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--