

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55368 of 2015

Arising Out of PS.Case No. -451 Year- 2015 Thana -KHAGARIA District- KHAGARIA

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Meena Devi, W/o Balmukund Malakar, Resident of Village- Bhagat Tola,
P.s.- Khagaria, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Binod Kumar, Advocate.

For the Opposite Party/s : Mr. Sanjay Kr. Tiwari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 25-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Khagaria
P.S. Case No. 451 of 2015 registered for the offences punishable
under Sections 304(B) and 120(B) of the Indian Penal Code.

Allegedly Sunita Devi, the daughter of the informant,
was married with Shri Ram Malakar, the son of the petitioner, on
28.11.2013 and due to non-fulfillment of demand of dowry by
way of cash of rupees one lakh, a motorcycle and an L.E.D. T.V.,
she was being tortured and assaulted by the petitioner, her husband
and other in-laws and ultimately she was killed and information
was given to the informant.

Submission is of false implication and that the petitioner is an old mother-in-law, she is living separately from the deceased and her husband; the deceased herself consumed poisonous tablets and her husband got her treated by Dr. Sangeeta Kumari at Munu Nursing Home but was referred for better treatment and in the way to P.M.C.H. she died; against the petitioner, there is no specific allegation and co-accused Bal Mukund Malakar has been allowed bail and, as such, the petitioner, who is suffering in custody since 27.10.2015, also deserves sympathetic consideration.

Learned A.P.P. fairly submits that the petitioner is the old mother-in-law of the deceased.

In the facts and circumstances stated above and considering that the petitioner is an old lady and against her there is no specific allegation, she 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, Khagaria in connection with Khagaria P.S. Case No. 451 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 the privilege of bail.

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(Jitendra Mohan Sharma, J)