

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22044 of 2016

Arising Out of PS.Case No. -364 Year- 2015 Thana -TAJPUR District- SAMASTIPUR

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1. ASHIYA DEVI @ USIYA DEVI @ REKHA DEVI wife of Munchun Das, Resident of Village- Rajkha Rampur, Police Station- Tajpur, District- Samastipur at present resident of Village- Digh Fathepur, Police Station- Patepur, District- Vaishali..... .. Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhijeet Gautam

For the Opposite Party/s : Mr. Navin Kr. Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 23-05-2016 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Tajpur P.S. Case No. 364 of 2015 registered for the offence punishable under Sections 304B/34 of the Indian Penal Code.

Manju Devi the daughter of the informant was married to Sujit Das on 27.07.2015 and allegedly, due to non-fulfillment of Gold Hanumani she was being tortured and assaulted by her husband and other in-laws including the petitioner and ultimately she was killed.

Submission is of false implication and that the petitioner is married Nanad of the deceased and she is living with her husband at village Digh Fatehpur, P.S.- Patepur, District- Vaishali, there is no specific allegation against her, all the

allegations are omnibus and general in nature and without any fault she is suffering in custody since 22.02.2016, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP fairly submits that the petitioner is the married Nanad of the deceased.

In the facts and circumstances stated above, 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 Additional Sessions Judge IV, Samastipur in G.R. No. 2977 of 2015 arising out of Tajpur P.S. Case No. 364 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 his part without any reason shall disentitle the petitioner from privilege of bail.

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(Jitendra Mohan Sharma, J)

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