

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53103 of 2015

Arising Out of PS.Case No. -37 Year- 2011 Thana -SRINAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. Salami Begum wife of Mohamaddin Mian, resident of Village-
Baghambarpur Khalwa Tola, Police Station- Shri Nagar (Pujahan), District-
West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Nand Kishore Prasad (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 12-01-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Shrinagar
(Pujahan) P.S. Case No. 37 of 011 registered for the offences
punishable under Sections 304B, 201/34 of the Indian Penal
Code.

The petitioner wants to renew his prayer for bail, which
was earlier rejected thrice vide order dated 18.06.2012, 08.05.2013
and 20.08.2014 passed in Cr. Misc. No. 13571 of 2012, 2505 of
2013 and 31915 of 2014 respectively, on the ground that the trial
has not been concluded as yet and the petitioner being mother-in-
law is suffering in custody since 15.03.2012, the husband of the

deceased has faced trial and he has been convicted, thereafter, in Cr. Appeal (SJ) No. 348 of 2015 he has been allowed bail vide order dated 06.07.2015 and as such the petitioner deserves sympathetic consideration, she undertake to remain present before the trial court on each and every date fixed in this case and will not misuse the privilege of bail.

Learned APP fairly submits that the husband of the deceased has been allowed bail in criminal appeal and the petitioner is the mother-in-law.

In the facts and circumstances stated above, considering the period of detention and further that the petitioner is the mother-in-law and the husband of the deceased is enjoying the privilege of bail, 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 III, Bettiah, West Champaran in Sessions Trial No. 459 of 2012 arising out of Shrinagar (Pujahan) P.S. Case No. 37 of 2011, 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.

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(Jitendra Mohan Sharma, J)