

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15815 of 2016

Arising Out of PS.Case No. -661 Year- 2015 Thana -PHULWARI District- PATNA

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Lila Devi, Wife of Satyadeo Mahto, Resident of Village- Adhapa, P.S.-
Janipur, Dist..-Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Pradip Narayan Kr.(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 25-05-2016 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner, who is the mother-in-law of the

deceased, is languishing in jail since 19.09.2015 in connection
with Phulwarisharif (Janipur) P.S. Case No. 661/15 for
offences alleged under Sections 302, 304-B/34 of the Indian
Penal Code and under Section 3 of the Dowry Prohibition
Act.

The prosecution case, as lodged by the
informant, is that on 18.09.2015 at 10.00 P.M. he got
information that petitioner along with others killed his
daughter. On such information he along with family members
went to village Adhapa, found the dead body of his daughter

in court-yard, blood was oozing from her head and the family members fled away from the house.

It has been submitted by the learned counsel for the petitioner that she is innocent, has not committed any offence, informant is not the eye-witness of the occurrence and the inquest report specifies only one injury which resulted in death, whereas allegation is against the husband of the deceased. He submits that there are general and omnibus allegations and the husband is in jail custody since 28.09.2015. He further submits that the charge-sheet has already been submitted against the petitioner hence, there is no chance of tampering with the evidence and she undertakes not to abscond or flee away.

However, learned APP for the State submits that the petitioner is named in the First Information Report and witnesses have supported the prosecution case, hence, opposes the prayer for bail.

Be that as it may, considering the period of custody and that the inquest report also specifies only one injury and the husband is in custody, let petitioner, above named, 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 learned Addl. Sessions Judge-VI,
Patna, in connection with Sessions Trial No. 135/16, arising
out of Phulwarisharif (Janipur) P.S. Case No. 661/15.

Rajesh/-

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(Nilu Agrawal, J.)