

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54288 of 2015

Arising Out of PS.Case No. -162 Year- 2015 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

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Shobha Devi wife of Munirika Mahto @ Mundrika Mahto Village-
Machharganwa, P.s Kotwa, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Binod Kumar(App)

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

3 21-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Kotwa
P.S. Case No. 162 of 2015 registered for the offences punishable
under Sections 304(B), 201, 120(B) of the Indian Penal Code.

Durgawati Kumari, the younger sister of the informant
was married to Ashok Mahato, son of the petitioner on 15.05.2015
and due to non-fulfillment of demand of dowry, she was
strangled to death and her dead body was thrown after keeping
in bag in canal.

Submission is of false implication and that the
petitioner is mother-in-law, she is living separately from her son.

Other co-accused Munirika Mahto, Vijay Mahto and Babita Devi have been allowed pre-arrest bail vide order dated 08.12.2015 passed in Cri. Misc. No. 55093 of 2015 and the petitioner is suffering in custody since 11.08.2015, having no criminal antecedent.

Learned A.P.P. is not in a position to distinguish the case of the petitioner from those co-accused.

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 Judicial Magistrate, 1st Class, Motihari, East Champaran arising out of Kotwa P.S. Case No. 162 of 2015 subject to the conditions that one of the bailors must be 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)

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