

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9447 of 2017

Arising Out of PS.Case No. -64 Year- 2014 Thana -MAHNAR District- VAISHALI(HAJIPUR)

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1. Kanchan Devi, Wife of Binod Singh, Resident of village - Fatehpur
Kamali, Police Station Mahnar, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

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

2 11-04-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Session
Trial No. 322 of 2016 arising out of Mahnar P.S. Case No. 64 of
2014 registered for the offence punishable under Section
304(B)/34 of the Indian Penal Code.

Pushpa Kumari, the daughter of the informant was
married to Mukesh Singh four years ago and after marriage the
husband and other in-laws started demanding motorcycle and
colour T.V. and due to non-fulfillment, she was tortured and
assaulted by them and ultimately, they killed her by pressing her
neck.

Submission is of false implication and that petitioner is



the *Gotni* of deceased. She has no concern with the family affairs of the deceased and her husband, as she is living separately since long. Without any fault she is suffering in custody since 16.11.2016. Trial is going on and all witnesses including Ajay, who has informed the incident to the informant, have turned hostile and not supported the prosecution version.

The learned A.P.P. opposes the prayer of bail by submitting that within seven years of marriage the daughter of the informant was killed for non-fulfillment of demand of dowry.

In the facts and circumstances stated above, considering that petitioner is the *Gotni* and as claimed by her that she is living separately, 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-II, Vaishali at Hajipur in connection with Sessions Trial No. 322 of 2014 arising out of Mahnar P.S. Case No. 64 of 2014 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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