

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13912 of 2017

Arising Out of PS.Case No. -118 Year- 2016 Thana -SAHPUR District- PATNA

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Pramila Devi, W/o Sri Gorakh Rai, resident of Village- Mubarakpur, P.S.-
Shahpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.V. Agrawal
Mr. Sanjiv Sharan

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-03-2017 Heard the parties.

This application has been filed in connection with Shahpur
P.S.Case No.118 of 2016 (G.R.No.2684/2016) for the offence
under Sections 498(A) and 304(B)/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that the petitioner
is mother-in-law and there is only allegation against the petitioner
about demand of dowry. The marriage was solemnized nine years
prior, as such Section 302 is added and no case is made out under
Section 304(B) of the Indian Penal Code.

Heard learned A.P.P. also as well as the learned counsel for
the informant. The learned counsel for the informant has opposed
the prayer for bail, stating that several witnesses during the course
of investigation has stated about the complaint of demand of
dowry by the petitioner and further it is submitted that earlier the



deceased had filed a Complaint Case and after a compromise between the parties, the deceased was taken back and only just after three months of it, she was killed. The postmortem report also shows that there is sign of strangulation.

Having heard both sides and in view of the fact that the petitioner is lady and case under Section 302 IPC, no direct evidence is against her, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M., Danapur in connection with Shahpur P.S.Case No.118 of 2016 (G.R. No.2684 of 2016).

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.
- (iv) In the event of failure to appear before the court below on any date without permission of the court will make her liable for cancellation of her bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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