

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44193 of 2017

Arising Out of PS.Case No. -84 Year- 2016 Thana -KARJA District- MUZAFFARPUR

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1. Shila Devi, Wife of Mr. Loha Sahni @ Bishwanath Sahni, Resident of Village-Narhar Sarai, P.s.-Karja, District-Muzafarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Guriya Nisha

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-09-2017 Heard the parties.

The petitioner seeks regular bail in connection with Karja P.S.Case No.84 of 2016 registered for offences punishable under Sections 302/34 of the Indian Penal Code.

Allegation against the petitioner is that she happens to be mother-in-law of the deceased. The case is under Section 304 IPC.

Submission of the learned counsel for the petitioner is that falsity of the case will appear from the fact that it is stated that all the accused persons including the petitioner were in intoxicated condition and assaulted the deceased. No specific allegation has been attributed against the petitioner and she is in custody for about three months.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, 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 Mr. Nayan Kumar, J.M. 1st Class, West Muzaffarpur in connection with Karja P.S.Case No.84 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 herself available as and when required by the court and on the event of failure on her 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 her bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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