

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44345 of 2017

Arising Out of PS.Case No. -123 Year- 2016 Thana -BACHWARA District- BEGUSARAI

=====

1. Usha Devi, Wife of Ram Badan sahani, Resident of Village-Rasidpur, P.S. Bachhawara, District-Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Sri Dinesh Singh

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 16-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 11.01.2017 in connection with S.T. No. 55 of 2017 arising out of Bachhawara P.S. Case No. 123 of 2016 for offences punishable under Sections 304(B), 201/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his cousin sister, Sangeeta Devi, was married to one Ranjan Sahni, five years back and out of the wed-lock she has two issues. She was always tortured by the in-laws and ultimately, killed by the petitioner and other family members including the husband, for non-fulfillment of demand of dowry. Her dead body was found in half burnt condition in the orchard near the river.



It has been submitted by the learned counsel for the petitioner that she is innocent and being the mother-in-law she has been falsely implicated in the aforesaid case. He submits that there are general and omnibus allegations against all the accused persons including the petitioner and that the husband of the deceased is already in custody since 18.10.2016. He submits that charge-sheet has already been submitted and there is no chance of tampering with the prosecution witnesses by the petitioner. It is further submitted that the family members of the deceased had participated in the cremation ceremony as stated by some of the witnesses and as an after thought the petitioner has been implicated.

However, learned APP for the State opposes the prayer for bail stating therein that the deceased died in her matrimonial house and the post-mortem report suggests twisting of neck.

Considering the facts and circumstances and the materials on record, and that the husband is already in custody and the petitioner is a lady, let the petitioner, above named, be enlarged 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 Additional District and Sessions Judge, III, Begusarai, in connection with S.T. No. 55 of 2017 arising out of



Bachhawara P.S. Case No. 123 of 2016 subject to the condition that one of the bailors would be a close relative of the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of her bail bonds.

(Nilu Agrawal, J)

sushma/-

U		T	
---	--	---	--

