

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54074 of 2016

Arising Out of PS.Case No. -50 Year- 2016 Thana -NAWADA MUFFASIL District- NAWADA

Usha Devi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 12-04-2017 Heard learned counsels for the petitioner,
informant and the State.

The petitioner has renewed his prayer for bail in a case registered under sections 498A and 304B of the IPC and sections 3 and 4 of Dowry Prohibition Act.

The petitioner being mother of the husband of the victim is languishing in custody since 19.3.2016.

The basic accusation is of killing the sister of the informant within one year of the marriage for non-fulfillment of the dowry demand.

It is submitted by learned counsel for the petitioner that the petitioner is an old lady and the thrust of accusation is against the husband of the victim who is in



custody. The victim committed suicide as she was willing to reside with her husband at his place of working at Patna for which the husband was not ready. The accusation has specifically been supported by the family members of the victim only. There is no eye witness to the occurrence and independent witnesses have not levelled any specific accusation against the petitioner. The accusation being omnibus has also been recorded by the learned Sessions Judge in the impugned order. Earlier, the prayer for bail was rejected with a liberty to the petitioner to renew his prayer after framing of charge. It is further submitted that the charges against the petitioner have been framed on 4.11.2016 and the husband of the victim has surrendered and is in custody.

Learned counsel for the informant submits that release of the petitioner will further delay the conclusion of trial.

Considering the rival submission of the parties, the petitioner being old lady has remained in custody for more than one year and the charges have been framed against the petitioner, let the above named petitioner be released 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 Sessions Judge II, Nawada in connection with Nawadah (Mufassil) P.S. Case No. 50 of 2016.

The learned trial court will be at liberty to cancel the bail bonds of the petitioner if she defaults for three consecutive occasions.

(Dinesh Kumar Singh, J)

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