

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28118 of 2017

Arising Out of PS.Case No. -39 Year- 2017 Thana -GARKHA District- SARAN

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1. Shakuntala Kuwar W/o Late Ramji Singh, Resident of Village-
Galimapur, P.S.- Garkha, District- Chapra (Saran).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 02-08-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner is languishing in custody since 25.03.2017 in
connection with Garkha P.S. Case No. 39/17 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 daughter Arti Devi was married to the petitioner's son
Vijay Singh two years back and for demand of motorcycle the
husband and in-laws including the petitioner tortured her. At 11.00
O'clock in the morning the deceased Arti Devi rang up the
informant that her husband and in-laws are beating her for demand



of dowry and thereafter when he came at 5.00 P.M. he found his daughter traceless.

It has been submitted by the learned counsel for the petitioner that she is the mother-in-law of the deceased Arti Devi, general and omnibus allegation has been levelled against all the accused including the petitioner and there was some quarrel between the husband and wife for which she has no concern.

However, learned counsel appearing for the informant submits that the witnesses have supported the prosecution case, the fight occurred in broad day light and witnesses have seen the occurrence, hence, opposes the prayer for bail.

Learned APP for the State also opposes the prayer for bail stating therein that the witnesses have seen the petitioner along with other accused persons of assaulting the deceased Arti Devi and she was taken out of the house but did not return.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail after completion of six months in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, in connection with Garkha P.S. Case



No. 39/17, subject to the condition that both the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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