

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77004 of 2018

Arising Out of PS. Case No.-244 Year-2018 Thana- MUZAFFARPUR SADAR
District- Muzaffarpur

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Lalita Devi Wife of Sri Lakhindra Paswan, Resident of Village-
Parmanandpur, P.S. Sadar, District- Muzaffarpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur Mr. Pravin Kumar, Ms. Babita Kumar, Advocates.
For the Opposite Party:		APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 16-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 304B/34 of the Indian Penal Code registered in connection with Sadar P.S. Case No. 244 of 2018.

3. It is submitted that the petitioner has been falsely implicated merely because she happens to be mother-in-law of the deceased. The petitioner along with her husband have been living separately from their son and the deceased and had no concern with day to day affairs. There is no allegation of torture by the petitioner soon before the alleged occurrence and the post mortem report does not disclose any internal or external injury. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six



weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Sadar P.S. Case No. 244 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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