

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.24047 of 2019

Arising Out of PS. Case No.-79 Year-2003 Thana- PALASI District- Araria

CHAMELI DEVI, aged about 50 years, Female, Wife of Shivanand Mandal,
Resident of Village- Korhaili, Police Station- Palasi, District- Araria
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, Adv.

For the Opposite Party : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 17-04-2019

Heard the learned counsel for the petitioner and the learned
Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since
25.03.2019 in connection with S. Tr. No. 278 of 2018 arising out of
Palasi P.S. Case No. 79 of 2003 for the offence alleged under Section
304B of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his
daughter, Leela Devi, was married to one Ramanand Mandal six years
back and was always tortured for demand of dowry. The husband of the
deceased, Leela Devi, had illicit relationship with the petitioner who
was the gotni of the deceased and all the accused, including the
petitioner and husband have killed his daughter and have absconded
from the house.

It has been submitted by the learned counsel for the petitioner
that she is innocent and there was no illicit relationship with the
husband of the deceased, general and omnibus allegations have been
levelled against the petitioner and the husband of the deceased has been
acquitted by the Additional District & Sessions Judge, Fast Track Court,



III, Araria, on 15.08.2007 in S. Tr. No. 557 of 2007. He submits that the husband of the petitioner, who was also made accused, with similar allegation, has been granted the privilege of bail by coordinate Bench of this Court in Cr. Misc. No. 64623 of 2018, dated 26.10.2018.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations and the materials on record as well as the fact that the husband of the deceased has been acquitted in sessions trial, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with S. Tr. No. 278 of 2018 arising out of Palasi P.S. Case No. 79 of 2003 to the satisfaction of the learned Sessions Judge, Araria, or the successor Court subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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