

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31331 of 2019**

Arising Out of PS. Case No.-187 Year-2018 Thana- NOORSARAI District-
Nalanda

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KARI DEVI, aged about 67 years, female, Wife of Late Bindeshwari Yadav
@ Bindeshwar Prasad Resident of Village- Ajaipur, P.S.- Noorsarai,
District- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ranvijay Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 05-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 304(B)/34 of the Indian Penal Code registered in connection with Noorsarai P.S. Case No. 187 of 2018.

3. It is submitted that the petitioner has been falsely implicated merely because she happens to be the mother-in-law of the deceased. It is submitted that after the trial, the father-in-law of the deceased (petitioner's husband) has been acquitted by judgment dated 17.07.2019 in Sessions Case No. 96 of 2019/279 of 2019 by the 2nd Additional District & Sessions Judge, Nalanda at Biharsharif, having regard to the defence that the deceased committed suicide as she was not conceiving and that the witness had stated that she had no grievance with her in-laws. The petitioner is an old lady of about 67 years and claims clean antecedents.



4. Be that as it may, 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, Nalanda at Biharsharif in connection with Noorsarai P.S. Case No. 187 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) That 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) That the petitioner shall be well represented in Court on each and every date during trial except as and when directed by the learned Court to be physically present, 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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