

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39313 of 2019

Arising Out of PS. Case No.-448 Year-2018 Thana- BIKRAMGANJ District- Rohtas

Lal Muni Devi @ Lakhmuni Devi aged about 36 years (Female) wife of Sunil Ram Resident of Village-Salempur Pokhara, P.S.-Bikramganj, District Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Nagendra Upadhyay, Advocate
For the State	:	Mr. Lalan Kumar, APP
For the Informant	:	Ms. Divya, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 20-08-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 498A, 363, 365 and 34 of the Indian Penal Code registered in connection with Bikramganj P.S. Case No. 448 of 2018.

3. It is submitted that the petitioner has been falsely implicated merely because she happens to be *Gotini* of the victim (informant's daughter). It is submitted that the petitioner was residing separately from the victim and her husband and had no concern with day-to-day matters. It is stated that the husband and brother-in-law of the victim had been arrested but were granted bail under section 167(2) of the Cr.P.C. The accusation against the petitioner is general and omnibus in nature and no specific overt act has been alleged against her. The petitioner claims clean antecedents.

4. Learned APP submits that the victim is traceless and continues to remain the same. However, he has not pointed out any material to indicate any specific overt act against the petitioner.



5. 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 Incharge Additional Chief Judicial Magistrate, Bikramganj (Rohtas) in connection with Bikramganj P.S. Case No. 448 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with 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 be well represented in court on each and every date during trial except as and when directed by the learned Court below 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.

(iv) 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.

(Vikash Jain, J)

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