

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37250 of 2019**

Arising Out of PS. Case No.-11 Year-2019 Thana- KALYANPUR District-
East Champaran

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RAMBHA DEVI, aged 38 years, female W/o Late Umesh Das R/o village-
Barharwa, Mahanand, P.S.- Kalyanpur, District- East Champaran

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Bal Govind Sharma, Advocate.

For the Opposite Party: Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 19-06-2019 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 Kalyanpur P.S. Case No. 11 of 2019.

3. It is submitted that the petitioner has been falsely implicated merely because she happens to be the *Gotini* of the deceased. It is further submitted that the petitioner is living separately and had no concern with the day to day matters. In any event even on perusal of the F.I.R. there is no allegation of demand of dowry and as such ingredients of the offence alleged are not made out against the petitioner. The petitioner 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 Additional Chief Judicial Magistrate-IX, East Champaran at Motihari in connection with Kalyanpur P.S. Case No. 11 of 2019, 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 remain physically present in Court on each and every date during trial except as and when directed by the learned Court to be physically present in Court, 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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