

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40457 of 2019**

Arising Out of PS. Case No.-55 Year-2018 Thana- TARIYANI CHAPRA PS
District- Sheohar

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SHILA DEVI, aged about 69 years, female, W/o Late Hari Shankar Prasad
Resident of Koat Bazar, Ward No.13, Chakmahila, P.S.-Sitamarhi Sadar,
District-Sitamarhi.

... .. Petitioner

Versus

1. The State of Bihar
2. Niru Kumari D/o Bindeshwari Mahto Resident of Village-Sultanpur, P.S.-
Tariyani Chapra, District-Shivhar.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Lalit Narayan Jha, Advocate.
For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest for the
offences alleged under Sections 498(A), 323, 504 and 34 of the
Indian Penal Code registered in connection with Tariyani Chapra
P.S. Case No. 55 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 informant. This is the first such complaint of its nature
since the informant was married about four years ago on
18.05.2015. Even according to the F.I.R., there is no specific
accusation of assault or torture alleged against the petitioner. The
petitioner is a lady of advanced age of 69 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, Sheohar in connection with Tariyani Chapra P.S. Case No. 55 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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