

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64642 of 2018

Arising Out of PS. Case No.-2 Year-2018 Thana- KASMA District- Aurangabad

Dulari Devi Wife of Late Uma Yadav Village Lahra P.S. Kasma District
Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Dr. Leelawati Kumari, Advocate
For the Opposite Party : Mr. Jitendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 08-01-2019 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) and 34 of the Indian Penal Code registered in connection with Kasma P.S. Case No. 2 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. The petitioner is a widow lady who is living separately from the deceased and her husband. The accusations are general and omnibus in nature. It is submitted that cause of death was infection due to burn injury suffered by the deceased about two months ago for which she was treated and thereafter her treatment continued in another hospital.

4. A perusal of the post mortem report discloses that the cause of death is due to anemia, hypoproticemia and septicemia from infection of the burn over the body surface.

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 Chief Judicial Magistrate, Aurangabad, in connection with Kasma P.S. Case No. 2 of 2018, subject to the conditions as laid down under Section 438 (2) 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 will be well represented in court on each and every date during trial 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.

BT/Chandran

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(Vikash Jain, J)

