

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1258 of 2020

Arising Out of PS. Case No.-60 Year-2019 Thana- MAHILA PS District- Jehanabad

Sushma Devi @ Sshma Kumari @ Sushma Kumari Wife of Sanjay Kumar
Resident of Village - Banauli Khurd (Banauli), P.S.- Khiri More, Paliganj,
Dist.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amrita Kumari Daughter of Anil Prasad Resident of Village - Chandaura,
P.S.- Kako, Dist.- Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-02-2020 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner apprehends her arrest in **Jehanabad Mahila P.S. Case No. 60 of 2019**, registered for the offence punishable under Sections 341, 323, 504, 506, 379, 498(A), 494 and 34 of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act.

Petitioner is the second of wife of husband of informant.

The informant alleged that her husband and in-laws subjected her to mental and physical torture due to non-fulfillment of demand of dowry and finally, they ousted her



from her matrimonial home. The husband of informant performed second marriage. After getting such information, the informant along with her parents went her sasural, where husband of the informant and in-laws including this petitioner assaulted them and threatened her of dire consequence.

It is submitted that petitioner has falsely been implicated in this case. Petitioner is the second wife of husband of informant. Entire allegation is false and concocted. Petitioner is nowhere involved in the said occurrence. Moreover, there is general and omnibus allegation against the petitioner. Petitioner has got clean antecedent.

Considering the facts aforesaid, the petitioner above-named in the event of her arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Chief Judicial Magistrate, Jehanabad** in connection with **Jehanabad Mahila P.S. Case No. 60 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-



(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, her bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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