

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8180 of 2020

Arising Out of PS. Case No.-377 Year-2017 Thana- KHIJARSARAI District- Gaya

Kari Devi W/o Rajdeo Yadav R/o village- Gangabigha, P.S.- Gangabigha,
Distrit- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar No.4, Advocate

For the Opposite Party/s : Mr. J.N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 02-06-2020 The matter has been taken up through virtual Court proceeding.

Heard Mr. Ashok Kumar No. 4, learned counsel for the petitioner and Mr. J.N. Thakur, learned APP for the State.

The petitioner, being the mother-in-law of the victim, has prayed for grant of bail in connection with a case registered for the offences punishable under Sections 498A, 304B, 201 and 120B/34 of the Indian Penal Code.

The prosecution case, as per the written report of Shyama Devi submitted to the Station House Officer of Khizersarai Police Station, is to the effect that the informant's daughter, Munni Devi was married with co-accused Shailendra Yadav, the son of the petitioner, about four years prior to the lodging of the present case. Subsequent to the marriage, there was further dowry demand of a motorcycle and for non-



fulfillment of the same, torture was inflicted upon the daughter of the informant. It is alleged that on 25.12.2017, the daughter of the informant was killed and dead body was disposed of by all the accused persons including the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is a lady and there is no specific accusation against the petitioner as gets reflected from the first information report. The thrust of accusation is against the husband of the victim. The petitioner claims to be residing separately from the husband of the victim and he is languishing in custody since 21.09.2019.

Learned APP for the State submits that the victim died within four years of the marriage and there was demand of dowry, hence, the offence is made out against the petitioner.

Considering the fact that the thrust of accusation is against the husband of the victim, accusation is omnibus and general against entire in-law family including the petitioner, investigation has already been concluded and petitioner being a lady, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Khizersarai P.S. Case No.



377 of 2017.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond upon furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Khizersarai P.S. Case No. 377 of 2017.

The learned Court below is at liberty to further extend the period of provisional bail if the lockdown is not over in next three months.

(Dinesh Kumar Singh, J)

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