

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6462 of 2020

Arising Out of PS. Case No.-155 Year-2019 Thana- BASANTPUR District- Siwan

Mira Devi W/o Anil Rai Resident of Village- Sareya Srikant, P.S.- Basantpur,
Distt- Siwan

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ajay Kr. Tiwary, Advocate
For the Opposite Party	:	Mr. Shailendra Kumar Singh, APP
For the informant	:	Mr. Pranav Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 28-05-2020 The matter has been listed today for consideration through
Video Conferencing in view of the Nationwide Lockdown on account
of the Covid 19 pandemic.

The learned counsels are appearing and making
submissions from their residence. The Court Master and Secretary
are also part of this virtual court proceedings from their homes, all
with the aid of audio visual technology.

Heard learned counsel for the petitioner, informant and the
learned APP for the State.

The petitioner seeks bail in Basantpur P.S. case No. 155 of
2019 instituted for the offence under Sections 304B, 201 and 34 of
the IPC.

The F.I.R. has been lodged by the father of the deceased ,
namely, Shobha Kumari, alleging that he has received secret
information that his daughter has been done to death by her in-laws



for non- fulfillment of dowry and that they have disposed of the dead body.

Petitioner's counsel submits that being the mother-in-law the petitioner has been falsely implicated in the instant case. Even the FIR does not disclose that the petitioner had made any demand for dowry. There is no specific allegation against the petitioner and she is in custody since 15.11.2019.

The learned counsel for the State and informant have opposed the prayer for bail by submitting that petitioner is mother-in-law and cannot escape the liability for the offence committed in the matrimonial home of the deceased.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released 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 **Chief Judicial Magistrate, Siwan**, in connection with **Basantpur P.S. Case no. 155 of 2019**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will



be liable to be cancelled.

It is further made clear that during currency of the nationwide lockdown due to COVID 19 pandemic, requirement of furnishing bail bonds and conditions shall remain suspended and the petitioner be released on executing and furnishing her personal bond to the satisfaction of the court concerned.

The petitioner must comply with the requirements of furnishing bail bonds, and conditions in terms of this order within 4 weeks after normal working resumes, failing which bail granted under this order shall stand cancelled and petitioner liable for the consequences thereof in accordance with law.

Let this order be communicated, without any delay, to the court of learned **Chief Judicial Magistrate, Siwan**, and the competent authority of the State in terms of clause (4) i of Notice II published in the Cause list uploaded on the website of the Patna High Court.

(Madhuresh Prasad, J)

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