

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18533 of 2020

Arising Out of PS. Case No.-569 Year-2017 Thana- SHERGHATI District- Gaya

Geeta Devi, (F) aged about 48 years, Wife of Bhola Yadav, Resident of Village -
Mohandih, P.S.- Dobhi, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 01-07-2020

The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Sanjeev Kumar, learned counsel for the petitioner and Mr. Jai Narain Thakur, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner is in custody in connection with Sherghati (Dobhi) P.S. Case No. 569 of 2017 dated 02.10.2017 instituted under Sections 304-B/34 of the Indian Penal Code.

4. The allegation against the petitioner and others is of strangulating the deceased, who was her daughter-in-law.

5. Learned counsel for the petitioner submitted that the petitioner is the mother-in-law and, in fact, on the fateful day



she was in Kolkata living with his younger son, who works there. Learned counsel submitted that even in the postmortem report only one mark of strangulation has been found on the neck, which is also the cause of death, and no other mark has been found on the body. It was submitted that besides the petitioner, husband of the deceased, husband of the petitioner as well as younger son of the petitioner have been made accused, but had they any role in the incident, there would have been marks on the body if the petitioner and others were helping the husband of the deceased in committing the crime, but no such marks having been found clearly indicates that four persons could not have been party to the crime, if at all committed. It was submitted that the incident took place due to differences between the deceased and her husband due to which the deceased herself committed suicide by hanging. Learned counsel submitted that the husband of the deceased is in custody since 16.01.2019 and the petitioner being a lady is in custody since 09.01.2020.

6. Learned APP submitted that she is the mother-in-law and the death having occurred in the matrimonial home, she was also responsible for the same.

7. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Sherghati (Gaya), in Sherghati (Dobhi) P.S. Case No. 569 of 2017, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall lead to cancellation of her bail bonds.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

J. Alam/-

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