

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19936 of 2020

Arising Out of PS. Case No.-91 Year-2019 Thana- TARAPUR District- Munger

Kalawati Devi, Wife of Naturi Das Resident of Village- Dhobai, Police
Station- Tarapur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 02-11-2020 Heard Mr. Md. Najmul Hoda, learned counsel
for the petitioner and Mr. Surendra Kumar, learned APP
for the State.

The petitioner, who is mother-in-law of the deceased, seeks bail in connection with Tarapur P.S. Case No. 91 of 2019 dated 24.06.2019 which was initially instituted for the offences under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act but later with the death of the deceased Section 304B IPC was added.

It has been submitted on behalf of the petitioner that except for the petitioner being the mother-in-law of the deceased, there is no other specific accusation against her. It has further been submitted



that the deceased was leading a depressed life as she had failed in her Intermediate examination. At the time of cooking food in the house, she was not careful and caught fire. It has further been submitted that she was immediately taken to Tarapur Hospital and from there she was referred to Bhagalpur Hospital for treatment. Subsequently, the deceased died on 09.06.2019 during the course of the treatment.

Though the husband of the petitioner has not surrendered to the process of law but the petitioner is in custody since 17.11.2019.

This Court had, on an earlier occasion, called for the case diary and a report about the stage of the case. The case diary as well as the report have been received. It appears from the report of the court below that the case was fixed for hearing of charge but nobody had turned up for hearing. Perhaps this happened because of the lock-down due to COVID-19 pandemic and the Bar association of the concerned district had been abstaining from work.

Regard being had to the period of custody of the petitioner and her relationship with the deceased, she is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Additional Chief Judicial Magistrate IV, Munger in connection with Tarapur P.S. Case No. 91 of 2019.

The trial court is directed to expedite and conclude the trial within a reasonable period of time, preferably within a period of one year from the date of receipt/production of a copy of this order. The petitioner shall participate in the trial proceedings and her absence from such proceedings on two consecutive occasions without any plausible reason or seeking permission from the trial court, the bail granted to the petitioner would be liable to be cancelled. In that event, the trial court shall proceed for cancellation of bail of the petitioner.

The petition stands disposed of accordingly.

(Ashutosh Kumar, J)

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