

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26734 of 2020

Arising Out of PS. Case No.-61 Year-2016 Thana- BIHARSHARIF District- Nalanda

Fulpati Devi W/o Late Karu Yadav, R/o Mohalla- Laloo Pokhar, Amber, P.S.-
Bihar, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Premchandra Yadav

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 01-12-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in Bihar P.S. Case No. 61 of
2016 (S.T. No. 47-A of 2017), registered for the offence
punishable under Sections 498(A), 323, 325, 307/34 of the
Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

As per prosecution case, the daughter of the
informant was married with co-accused Vikki Yadav 5-6 years
ago and it is alleged that due to non-fulfillment of demand of
dowry, informant's daughter was subjected to torture. It is
further alleged that on 14-02-2016, all the in-laws family
members of informant's daughter assaulted her with iron rod
and lathi, due to which, she received multiple injuries on her
body and thereafter, the accused admitted the victim in the



hospital and she died during course of her treatment.

It is submitted on behalf of petitioner that petitioner is an old lady aged about 75 years and mother-in-law of deceased. There is general and omnibus allegation and specific allegation is against husband of the deceased. In fact, on the information given by the petitioner, local police came to the house and referred the victim to the hospital. Aforesaid fact has come in paragraph – 22 of the case diary. Chargesheet has already been submitted and petitioner is in custody since 17-03-2020.

Considering the aforesaid facts and circumstances and the fact that petitioner is an old lady aged about 75 years and as per paragraph 22 of the case, on the information of petitioner, police came and admitted the victim to the hospital, the bail petition of petitioner is allowed.

Let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Addl. Sessions Judge, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 61 of 2016 (S.T. No. 47-A of 2017), on the following conditions:

“(1) Petitioner shall cooperate 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



on her absence on two consecutive dates without sufficient reason, her bail-bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J.)

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