

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 30339 of 2020**

Arising Out of PS. Case No.-25 Year-2020 Thana- DESARI District- Vaishali

REKHA DEVI Wife of Mithilesh Mahto Resident of Village- Sarai Dhanesh,
Police Station- Desari (Sahdai O.P), District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Mukesh Kumar Singh, Advocate
For the Opposite Party/s : Mr Rajive Nayan, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **23-11-2020** As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

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

Heard learned counsel for the petitioner.

Mr Rajive Nayan, APP is appearing as it is submitted that the brief has been allotted to him by the Office of Advocate General.

The petitioner seeks bail in Desari (Sahadai OP) Police Station (for brevity, PS) Case No 25 of 2020 instituted



for the offence punishable under Sections 304B/34 of Indian Penal Code.

The case of the prosecution is that the informant's daughter has been done to death for non-fulfillment of demand for a motorcycle and a gold chain as dowry.

Petitioner's counsel submits that petitioner is *Gotni* having the same status in the matrimonial home as that of the deceased. She is separate in mess and has no connection with the deceased and her husband. The demand of motorcycle and gold chain, at best, is attributed to the husband of deceased, who is already in custody. Petitioner is in custody since 02.02.2020.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on her furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate IV, Vaishali at Hajipur in Desari (Sahadai OP) PS Case No 25 of 2020 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

U		T	
---	--	---	--

