

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32825 of 2020**

Arising Out of PS. Case No.-247 Year-2020 Thana- GOPALGANJ TOWN District-
Gopalganj

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Sunari Devi @ Sundarpati Devi @ Sundari, Wife of - Lal Babu Yadav @ Lal Babu Chaudhary, Resident of Village- Chhapiya, P.S.- Hussainganj, District-Siwan, at present resident of Village- Semra, P.S.- Gopalganj Town, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar @ Alok Kr Shahi, Advocate
For the Opposite Party/s : Mr. Zainul Abadin, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 08-12-2020 Heard learned counsel for the parties through Video Conferencing.

Petitioner seeks bail in a case registered for the offence punishable under Section 304(B)/34 of Indian Penal Code.

As per the prosecution case, niece of the informant was married with Niraj Yadav in the year 2014. It is further alleged that since the time of marriage, all the accused persons including this petitioner started demanding Rs.50,000/- in dowry and due to non-fulfillment of the same, on 03.05.2019, the niece of the informant had informed to her parents that all the accused persons including the petitioner are torturing her for



dowry and she might be murdered by the accused persons and on this, the informant along with villagers gone to the house of his niece's in-laws and saw that the body of his niece was lying on the sofa. It is suspected that all the accused persons including this petitioner had killed his niece for non-fulfillment of dowry.

It is submitted on behalf of the petitioner that petitioner is mother-in-law, aged about 63 years. There is general and omnibus allegation of demand of dowry against all the family members of the petitioner. It is further submitted that deceased died during the course of treatment. Petitioner is living separately and got no concern with the affairs of the deceased. It is further submitted that the husband of the deceased is already in custody. Petitioner is in custody since 05.05.2020 and charge-sheet has already been submitted. Petitioner has got clean antecedent as stated in paragraph no.3 of the petition.

However, learned A.P.P. for State has vehemently opposed the prayer for bail.

Considering the aforesaid facts and circumstances of the case and the fact that petitioner is a lady, aged about 63 years, 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 learned



Chief Judicial Magistrate, Gopalganj in Gopalganj Town Police
Station Case No. 247 of 2020, on the following conditions:-

(1) Petitioner shall co-operate 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 his/her absence on two consecutive dates without sufficient reason, his/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)

Ankit/-

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