

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13143 of 2021

Arising Out of PS. Case No.-178 Year-2020 Thana- ATHMALGOLA District- Patna

Chiniya Devi @ Devanti Devi @ Dhanbanti Devi aged about 35 years,
(Female) wife of late Lal Babu Rai, Resident of village-Ganjpar, Police
Station Athmalgola, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner : Mr. Ashok Kumar Kashyap Advocate

For the State : Ms. Pushpa Sinha APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 27-07-2021 In view of the sudden resurgence of Covid-19 infection,
there is limited functioning of the High Court and, therefore, the
matter has been listed today for consideration through virtual
mode.

Learned counsel for the petitioner is expected to honour
his undertaking given in the instant case for depositing the
requisite court fee and to remove the defects as pointed out by
office when called upon to do so by the office.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in Athmalgola PS Case No. 178
of 2020, instituted for the offence under Section 304B/34 of the
Indian Penal Code.

Being mother in-law of the victim, the petitioner is



accused of the allegations under Section 304 B of the Indian Penal Code.

The learned counsel for the petitioner submits that the husband of the victim was living separately from the petitioner, along with his wife. The petitioner has no concern with their affairs and, mere by virtue of her relationship with the victim and her husband, she has been implicated and no specific allegation has been made against her. It is further submitted that under such circumstance, she is in custody since 14.09.2020. Referring to the order of rejection passed by the learned court below on 21.12.2020, it is submitted that the informant has filed a petition on 13.10.2020 before the SDJM ,Barh stating therein that his sister had committed suicide herself.

The learned APP representing the State has opposed the prayer for bail. It is submitted that unnatural death has occurred in the matrimonial home within seven years of marriage and there is demand of dowry and alleged cruelty against all the in-laws, including the petitioner.

Considering the rival submissions, 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 **SDJM Barh, Patna**, in connection with **Athmalgola PS Case No. 178 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.

(Madhuresh Prasad, J)

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