

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.13023 of 2021**

Arising Out of PS. Case No.-94 Year-2020 Thana- SHEKHPURA District- Sheikhpura

UMA DEVI W/o Mohan Matho R/o Village/Mohalla- Indaipar, Ward No. 18,
P.S.- Sheikhpura, District- Sheikhpura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Nazir Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 17-06-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Nazir Ansari, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with S.T. No. 44 of 2020 arising out of Sheikhpura P.S. Case No. 94 of 2020 registered for the offences punishable under Section 498 (A), 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the prosecution story the marriage of daughter of the informant was solemnized with Azad Mahto ten years ago. The informant, Satish Mahto alleging about her daughter Asmita Kumari being killed by four accused persons namely Ajad Mandal, Mohan Mahto, Uma Devi and Rakhi Devi in her matrimonial house as they were torturing her for the



last three-four years.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the informant himself deposed in course of trial that his daughter was died after falling from the stairs. The petitioner is in custody since 01.03.2020 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner is said to be the mother-in-law of the deceased, the marriage between the son of the petitioner and the deceased had taken place about 12-13 years ago from the date of the alleged occurrence and the informant has himself deposed in course of trial that his daughter (deceased) was living happily after her marriage and she had eventually died after falling from the staircase, the petitioner has remained in custody since 1.3.2020, in view of the materials in form of deposition of the informant and others placed before this Court, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge III, Sheikhpura in connection with S.T. No. 44 of 2020 corresponding to Sheikhpura P.S. Case No. 94 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:



(a) That such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) That such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

