

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13159 of 2021**

Arising Out of PS. Case No.-463 Year-2019 Thana- SONEPUR District- Saran

MAKHIYA DEVI Wife of Birju Ray @ Girju Ray Resident of Village -
Rahimpur P.O. and P.S.- Sonepur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Anand, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 20-07-2021 In view of sudden resurgence of COVID-19 infection

there is limited functioning of the High Court and therefore the

matter has been listed for consideration through virtual mode.

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

This Court would expect that the petitioner's Counsel
would honour his undertaking in the instant proceedings
regarding supply of requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

Petitioner seeks bail in Sonepur P.S. Case No.463 of
2019 registered under Section 304(B)/201/34 of IPC.

Two daughters of the informant are married in the
family of the petitioner. It is alleged that the elder daughter has
been killed. The allegation is that she was married about seven
years back and she has been done to death for non-fulfillment of



the demand for dowry at her matrimonial home.

Other than statement of the informant and her family members, it is submitted by the petitioner's counsel there is nothing in the case diary to suggest involvement of the petitioner (mother-in-law) in the killing. No such occurrence has taken place and merely by virtue of her relationship, the petitioner has been implicated and is in custody since 09.10.2020, though she has no concern with the affairs of the deceased and her husband who is also in custody.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named 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 Chief Judicial Magistrate, Sonapur, Chapra in Sonapur P.S. Case No.463 of 2019, 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 he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash Narayan /-

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