

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13791 of 2021**

Arising Out of PS. Case No.-88 Year-2020 Thana- KORHA District- Katihar

BIWI MARIYAM W/O MANJUR ALI R/O VILLAGE-SONVARSA P.S.
KORHA DISTRICT- KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Prasad Ambastha
For the Opposite Party/s : Mr.Ataur Rahman, APP

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

3 12-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Korha P.S. Case No. 88 of

2020, registered for the offence punishable under Sections 302,

304B and 34 of the Indian Penal Code and section 3/4 of the

Dowry Prohibition Act.

As per the prosecution case, daughter of the informant

was married with co-accused Md. Dulal two and half months

before. On 16.02.2020 at 5.00 am while he was going to attend

the call of nature, he heard hulla in maize field. He reached

there and found the dead body of his daughter. It is further

alleged that his daughter has been killed by the accused persons

including this petitioner.



It is submitted on behalf of the petitioner that petitioner is mother-in-law of the deceased and she is living separately and has no concern with the family affairs of the deceased and her husband. There is general and omnibus allegation and no specific overt act has been attributed against this petitioner. Petitioner is in custody since 17.02.2020 having no criminal antecedent as stated in para 3 of the petition.

Considering the period of custody and the fact that petitioner is mother-in-law of the deceased and there is general and omnibus allegation, the petitioner above-named, is directed to be enlarged 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 Sub-Divisional Judicial Magistrate, Katihar in connection with Korha P.S. Case No. 88 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, her bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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