

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14840 of 2021

Arising Out of PS. Case No.-237 Year-2020 Thana- KHARHAGPUR District- Munger

Barki Devi @ Munni Devi, Wife of Budhdeo Baski, Resident of Village -
Ghora Khur Shampur, P.S. - Kharagpur, Distt. - Munger.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jyoti Ranjan Jha, Advocate

For the Opposite Party/s : Mr.Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 05-10-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Kharagpur P.S. Case No.237 of 2020 registered for the offence punishable under Sections 304B, 201, 120B/34 and 302 of the Indian Penal Code.

In 2013, the informant's daughter was married with the instant petitioner's son Mukesh Baski. The F.I.R. has been lodged with the allegation that she has been done to death for non-fulfilment of demand for dowry. The offences alleged are under Sections 302, 304B, 201, 120B and 34 I.P.C.

Petitioner's counsel submits that upon investigation, material suggests that the victim has committed suicide and chargesheet was filed under Section 306/34 I.P.C. The cause of



death is asphyxia. The victim and her two sons, in fact, have drowned and were not killed. In any case the petitioner before this Court is the mother-in-law. Victim's husband is in jail. The instant petitioner is stated to be in jail since 27.11.2020. By virtue of her relationship with the deceased, she has been implicated in this case on suspicion and has no criminal antecedents.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Accordingly, 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 Additional Chief Judicial Magistrate-IV, Munger, in connection with Kharagpur P.S. Case No.237 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.

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

(Madhuresh Prasad, J)

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