

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14658 of 2021**

Arising Out of PS. Case No.-289 Year-2020 Thana- LAUKAHA District- Madhubani

SUNITA DEVI Wife of Binod Kamat Resident of Village - Lal Monia, P.S.-
Laukaha Lalmania, District - Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Subodh Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Md.Fahimuddin, APP

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

2 24-06-2021 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. Md. Fahimuddin, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Laukana (Lalmania) P.S. Case No. 289 of 2020 corresponding to G.R. No. 1878/2020 registered for the offences punishable under Sections 302, 304(B)/34, 120(B) of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the prosecution story, the marriage of Anila Kumari (deceased) had been solemnized with Nitish Kumar Kamat before three months from the alleged date of occurrence. After one month of marriage, the petitioner (mother-in-law) and other family members started



demanding dowry. In case of non-fulfillment of the same, they brutally assaulted the deceased as a result of which she died on the way to the hospital.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner happens to be the mother-in-law of the deceased and the marriage between her son and the deceased was a love marriage and the petitioner was living separately from them. The petitioner is in custody since 8.10.2020 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 husband of the deceased is already in judicial custody and it is the submission of learned counsel for the petitioner that the marriage between the son of this petitioner and the deceased was love marriage and the petitioner was living separately from them, she has remained in jail in connection with the present case for about 9 months, the investigation against her is complete but the trial is not likely to be concluded in near future, considering the aspects 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 A.C.J.M, Madhubani in connection with



Laukaha (Lalmania) P.S. Case No. 289 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 she 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'.

