

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18614 of 2021

Arising Out of PS. Case No.-161 Year-2020 Thana- EKANGARSARAI District- Nalanda

JASO DEVI, Wife of Raj Kumar Das, Resident of Village-Parthu, P.S.-
Akangarsarai, District-Nalanda Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 06-10-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Pranav Kumar, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Ekangarsarai P.S. Case No. 161 of 2020 registered for the offence punishable under Sections 341, 323, 498(A), 494, 504, 34 of the Indian Penal Code and Section 3 /4 of Dowry Prohibition Act. She is in custody since 28.11.2020. The petitioner has otherwise no criminal antecedent.

As per the prosecution story, the informant alleged that her daughter was married to Chandan Kumar on 04.05.2017. After marriage the daughter of the informant was living in her matrimonial home. Thereafter, the deceased was tortured and assaulted by the husband and in-laws for demand of a motorcycle



and cash of Rs. 50,000/- as dowry. On non fulfillment of demand of dowry the husband of the deceased did second marriage on 10.06.2020 after knowing that she is pregnant.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that this petitioner is said to be the mother-in-law of the deceased. There is no specific allegation against the petitioner in the First Information Report and in course of investigation it has come that the daughter of the informant died due to some internal injuries suffered by blatant, because of which she started bleeding in course of her pregnancy. There is no material to show that this petitioner had committed any assault on the deceased. The petitioner is in custody since 28.11.2020 having no criminal antecedent.

Mr. Pranav Kumar, learned A.P.P. 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, there is no specific allegation against her in the First Information Report and in course of investigation it has come that the daughter of the informant died due to some internal injuries suffered by blunt trauma, because of which she started bleeding in course of her pregnancy, there being no material to show that this



petitioner had committed any assault on the deceased, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned 1st Additional District and Sessions Judge, Hilsa, Nalanda in connection with Ekangarsarai P.S. Case No. 161 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

(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'.

