

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21214 of 2021

Arising Out of PS. Case No.-601 Year-2020 Thana- BEGUSARAI TOWN District- Begusarai

LALITA SINGH @ LALITA DEVI, Wife of Ram Badan Singh Resident of
Village - Pokhari Ward No. 39, P.S.- Town, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Bipin Kumar
For the Opposite Party/s :	Mr. Pravin Kumar
	Mr. Nilesh Kumar
	Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 20-12-2021

Heard Sri Bipin Kumar, learned counsel for the petitioner,
Sri Pravin Kumar, learned counsel appearing on behalf of informant
and Mr. Nitya Nand Tiwary, learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 31.10.2020, seeks
regular bail in connection with Begusarai Town P.S. Case No. 601 of
2020, for the offence punishable under Sections 498(A), 323, 304(B),
302 and 120(B)/34 of the Indian Penal Code.

The prosecution case, in brief, is that the accused persons
named in the F.I.R., including the petitioner, committed torture and
assault due to non-fulfillment of demand dowry and on the fateful
day, as per the Postmortem report, the victim died due to throttling.

Learned counsel appearing on behalf of the petitioner



submits that petitioner is an old lady, aged about 78 years, which would appear from the cause title of the application. He further submits that other co-accused, who are sister-in-laws, altogether six in number, have already been released on bail by this Court on 16.07.2021 passed in Criminal Miscellaneous No. 32801 of 2021 and one Chhoti Kumari @ Nisha Singh has also been released on bail on 27.10.2021 passed in Criminal Miscellaneous No. 47981 of 2021. He further submits that there is no specific allegation against the petitioner and also taking into consideration the health and age of the petitioner, it is beyond imagination that she would throttling the deceased to death as such the petitioner deserves to be released on bail.

Learned A.P.P. for the State has opposed the prayer for bail.

Learned counsel appearing on behalf of informant has drawn the attention of this Court to the Postmortem report in para 37 of the case diary, where Doctor has opined that death was due to asphyxia as a result of throttling.

Having heard the rival submissions, perusal of the case diary and the Postmortem report, taking into consideration the age of the petitioner, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with



Begusarai Town P.S. Case No. 601 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) 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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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