

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40468 of 2020

Arising Out of PS. Case No.-160 Year-2020 Thana- NOORSARAI District- Nalanda

FULWA DEVI WIFE OF VIJAY CHOUHAN RESIDENT OF VILLAGE -
CHARUI BELDARI, P.S. - NOORSARAI, DISTRICT - NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manohar Prasad Singh

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-02-2021

Heard both parties.

The petitioner seeks bail in Noorsarai P.S. Case No. 160 of 2020, registered for the offence punishable under Sections 304(B)/34 of the Indian Penal Code.

As per the prosecution case, the marriage of informant's sister was solemnized with co-accused Chandan Chouhan in the year 2017. Soon after marriage, informant's sister was subjected to torture and cruelty for dowry. It is further alleged that on 27.05.2020, all the accused persons including this petitioner killed her due to non-fulfillment of demand of dowry.

It is submitted on behalf of the petitioner that petitioner is mother-in-law of the deceased. There is general and omnibus allegation against her. Petitioner is living separately from her son and daughter-in-law from last five years and she



has no concern with the family affairs of the deceased. Chargesheet has already been submitted. Petitioner is lady aged about 60 years and is in custody since 28.05.2020 having clean antecedent, as stated in para 3 of the petition.

Considering the facts and circumstances of the case, 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 Additional Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Noorsarai P.S. Case No. 160 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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