

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 1356 of 2021**

Arising Out of PS. Case No.-352 Year-2020 Thana- MOTIHARI TOWN District- East
Champaran

=====

MALTI DEVI W/o Late Kedar Mishra Resident of Village- Chandmari (Near
Durga mandir), Ward No.26, P.S.- Motihari Town, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr Umesh Chandra Verma, Advocate
For the Opposite Party/s : Ms Pushpa Sinha, APP

=====

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 08-04-2021 This case has been taken up for consideration today
through Video Conferencing.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Motihari Town Police
Station (for brevity, *PS*) Case No 352 of 2020 instituted for the
offence punishable under Sections 302/34 of Indian Penal Code
(for brevity, *IPC*) but charge sheet has been submitted under
Section 306 of IPC.

The informant has alleged that her daughter has been
killed by her in-laws at her matrimonial home.

Learned counsel for the petitioner submits that
petitioner is the mother-in-law. Even as per allegation in the



First Information Report, the marriage of the alleged victim was solemnized 16 years prior to lodging of the case. Other than suspicion, there is no basis for implication of the petitioner. In the course of investigation, material has surfaced to suggest that the husband of deceased was suffering with some depression and insecurity in relation to his services in the Central Reserve Police Force. It is on this account that the deceased has committed suicide. Charge sheet has also been submitted under Section 306 of IPC. Being nearly 70 years old, the petitioner is in custody now since 09.07.2020. She bears clean antecedent.

Learned APP has opposed the prayer for bail.

In view of the aforesaid circumstances, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari, East Champaran in Motihari Town PS Case No 352 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 he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

U		T	
---	--	---	--

