

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1890 of 2021

Arising Out of PS. Case No.-124 Year-2020 Thana- MOUZAHDIPUR District- Bhagalpur

1. UMA DEVI aged about 60 years W/o Late Jainarayan Sharma Resident of Village - Kajeechak, P.S. - Mojahidpur, District - Bhagalpur.
2. Mina Kumari aged about 25 years D/o Late Jainarayan Sharma Resident of Village - Kajeechak, P.S. - Mojahidpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-03-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioners and the
State.

Petitioners seek bail in a case registered for the offence
punishable under sections 304B/34 of the Indian Penal Code.

As per the prosecution case, informant married his
daughter to one Shashi @ Sanjiv Sharma and out of the wedlock
they were blessed with two children. After some years,
petitioners, who are mother-in-law and sister-in-law respectively
and father-in-law started subjecting her to torture and
harassment for non-fulfilment of dowry demand and on



15.6.2020 when informant went to her matrimonial house, he found his daughter dead due to hanging.

Learned counsel for the petitioners submits that the petitioners are mother-in-law and sister-in-law respectively and they live separately from the husband of the deceased as such they have got no concern with their affair. Petitioner no.1 is aged about 60 years and petitioner no.2 is unmarried sister-in-law of the deceased. Charge sheet has already been submitted for the offence under section 306 Indian Penal Code. Petitioners are in custody since 16.2.2020.

Considering the fact that petitioners are mother-in-law and unmarried sister-in-law and the allegation against them are general and omnibus and they are in custody since 16.2.2020, prayer for bail of the petitioners is allowed. Let the petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhagalpur in Mojahidpur Police Station Case No. 124 of 2020 on the following conditions:-

(1) Petitioners 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



on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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