

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1836 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- PIPRA District- Patna

Saroj Devi Aged About 50 Years W/O Mahesh Yadav @ Mahesh Prasad
Singh R/O Village- Basiyawan, P.S.- Pipra, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Nivedita Nirvikar, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-03-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in a case registered for the offence punishable under sections 498A/304B/34 of the Indian Penal Code.

As per the prosecution case, petitioner and her family members subjected the informant's daughter to cruelty and harassment for dowry. On 18.7.2020 he got information that the accused persons killed her by hanging due to non-fulfilment of dowry demand.

Learned counsel for the petitioner submits that the petitioner is mother-in-law and the allegation is general and omnibus against her and the husband of the deceased is already in custody. It is also submitted that the deceased was suffering from a disease Spleen and was regularly being treated in Big



Hospital, Patna. Medical report is annexed as Annexure 2 to the bail petition. However, out of frustration, she committed suicide. Post mortem report also reveals that no force was applied with the deceased and death was caused due to asphyxia. Petitioner is in custody since 19.7.2020. Charge sheet has already been submitted.

Informant's counsel submits that there is allegation against the petitioner of demanding dowry and committing murder of the informant's daughter with the help of other accused persons. In the post mortem report, ligature mark has also been found on the body of the deceased.

Considering the fact that there is general and omnibus allegation against the petitioner and she is in custody since 19.7.2020 and husband of the deceased is already in custody, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, 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 Sub Divisional Judicial Magistrate Masaurhi, Patna in Pipra Police Station Case No. 47 of 2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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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