

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5154 of 2021**

Arising Out of PS. Case No.-60 Year-2020 Thana- TELHARA District- Nalanda

SUGIA DEVI W/o Raj Ballabh Yadav R/o Village- Chhajjupur, P.S.- Telhara,
District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr.Pramanand Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 12-04-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State
through video conferencing.

The petitioner happens to be mother-in-law of the
deceased who seeks bail in Telhara P.S. Case No. 60/2020
registered for the offences punishable under Sections 304(B)/34
of the Indian Penal Code.

As per the prosecution case, the daughter of the
informant was married with co-accused Mantu Kumar in the
month of October 2019 and, thereafter, all the accused persons
including this petitioner subjected her to cruelty and torture for
demand of dowry and due to non-fulfillment of the same, she
was killed by the co-accused persons along with this petitioner.

It is submitted on behalf of the petitioner that there is



general and omnibus allegation against this petitioner and the specific allegation of demand of dowry and torture is against husband of the deceased and the petitioner lives separately from the deceased and her husband in mess and business from much prior to the date of occurrence and has nothing to do with the affairs of the family of the deceased. It is further submitted that the entire prosecution case is falsified on this ground alone that as per the F.I.R., the daughter of the informant was married with Mantu Kunar in October, 2019 whereas the same informant has earlier lodged an F.I.R. being Telhara P.S. Case No. 147/2019 alleging therein that co-accused Mantu Kumar forcibly put vermilion on the head of his daughter (deceased) while she was going to market (Annexure-2 to the bail petition). Petitioner is in custody since 19.05.2020.

However, learned counsel appearing on behalf of the informant vehemently opposed the bail application and submitted that husband of the deceased is still absconding and there is allegation against this petitioner that she along with other co-accused persons demanded dowry and due to non-fulfillment of the same, they committed murder of the daughter of the informant.

Considering the fact that petitioner is mother-in-law



of the deceased and there is general and omnibus allegation of demand of dowry against this petitioner and she is in custody since 19.05.2020, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned ACJM, Hilsa, Naland, in connection with Telhara P.S. Case No. 60/2020, subject to 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 on her absence on two consecutive dates without sufficient reason, her bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers 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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