

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7335 of 2021

Arising Out of PS. Case No.-89 Year-2019 Thana- PATEPUR District- Vaishali

Baby Devi, Wife of Ratnesh Jha, Resident of Village - Mandaidih , P.S.-
Patepur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mirityunjay Kumar, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-06-2021 The matter has been taken up today for consideration
through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

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

The petitioner seeks bail in connection with Patepur
P.S. Case No.89 of 2019 registered for the offence punishable
under Sections 304B/34 of the Indian Penal Code.

Being the mother-in-law of the alleged victim, the
petitioner is in custody since 09.09.2020. It is alleged that for
non-fulfilment of demand for dowry, the informant's daughter



has been done to death at her matrimonial home.

Petitioner's counsel submits that by virtue of her relationship, the petitioner has been implicated. The primary responsibility is of the husband who is already in custody. Though there is an allegation that the victim was administered poison and the same has also been corroborated by the forensic opinion, the petitioner's counsel submits that the responsibility will lie with the husband of the deceased. Petitioner is also suffering from various ailments, in support of which petitioner has annexed reports and prescriptions as Annexure 3.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released 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-III, Vaishali at Hajipur, in connection with Patepur P.S. Case No.89 of 2019, 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 she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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