

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8175 of 2021

Arising Out of PS. Case No.-320 Year-2020 Thana- CHAINPUR District- Kaimur (Bhabua)

JAGWANTI DEVI W/O ASHOK SINGH RESIDENT OF VILLAGE-ISIYA,
P.S.-CHAINPUR, DISTRICT-KAIMUR (BHABHUA).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Sunil, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-12-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Chainpur P.S. Case No.320 of 2020 registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code.

As per the prosecution story, the allegation against the petitioner is that she along with other co-accused was involved in torture and killing of the deceased for non-fulfillment of the demand of dowry.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the petitioner happens to be the sister-in-law (Bhabhi) of the husband of the deceased, she is living separately in mess and business and she has her own family having no concern with the family of the deceased since 12.05.1998 when the partition took place in the family.

Learned APP for the State is present and has opposed the prayer for pre-arrest bail of the petitioner.

Having regard to the submission of the petitioner that she happens to be the sister-in-law (Bhabhi) of the husband of the deceased, she is living separately in mess and business and she has her own family having no concern with the family of the deceased since 12.05.1998 when the partition took place in the family, this Court directs that the petitioner above-named in the event of her arrest or surrender within a period of four weeks from today in connection with Chainpur P.S. Case No.320 of 2020 be released on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Kaimur (Bhabua), subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify



the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

