

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2952 of 2022

Arising Out of PS. Case No.-52 Year-2021 Thana- PARIHAR District- Sitamarhi

RAJ KUMARI DEVI @ MST. RAJ KUMARI DEVI Wife of Late Ganga
Paswan Resident of Village - Sautiniya, Ward No. 15, P.S. - Parihar, District -
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 01-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Parihar
P.S. Case No. 52/2021 registered for the offences punishable
under Sections 304(B), 201/34 of the Indian Penal Code.

As per prosecution case, there is accusation against
the petitioner and others to commit murder of the informant's
daughter after setting her on fire due to non-fulfillment of
demand of dowry.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. The petitioner is mother-in-law of the deceased and is a
widow. She was living separately from the deceased. There is no



allegation of demand for dowry or subjecting the deceased to cruelty or harassment against the petitioner. The petitioner is languishing in custody since 31.08.2021 and bears no criminal antecedent. Learned counsel for the petitioner further submits that charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. Co-accused, Rina Devi has already been granted anticipatory bail by the co-ordinate Bench of this Court vide Cr. Misc. No.53083/2021 and co-accused, Sobha Devi has already been granted bail by the co-ordinate Bench of this Court Vide Cr. Misc. No.53191/2021 and the case of present petitioner stands on similar footing.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, nature of allegation, similarly situated co-accused has already been granted bail, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate-1st Class, Sitamarhi or concerned court in connection with Parihar P.S. Case No. 52/2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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