

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3599 of 2022

Arising Out of PS. Case No.-270 Year-2012 Thana- SAKRA District- Muzaffarpur

Rajpati Devi Wife of Dinesh Sharma R/O Village- Chakajmeri, P.S.- Sakara,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Chandra, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 20-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Sakra P.S.
Case No. 270 of 2012 registered for the offence under Sections
304(B), 201 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 28.10.2012.

The allegation against the petitioner, who is mother-
in-law, is to cause death of her daughter-in-law, alongwith other
co-accused persons/family members for non-fulfillment of
demand of dowry.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner is living separately from the deceased



prior to the occurrence and having no connections with the daily domestic affairs of the deceased. It is submitted that the specific allegation to cause fatal assault is against the husband of the deceased. It is further submitted that similarly situated co-accused persons, who were in-laws, have already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 19260 of 2014 dated 26.09.2014. While concluding the argument, it is submitted that petitioner is a lady having clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded that the specific allegation to cause fatal assault is against the husband of the deceased.

Considering the facts and circumstances as mentioned above, as specific allegation to cause fatal assault is against the husband of the deceased coupled with the fact that petitioner is a lady having clean antecedent and chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sakra P.S. Case No. 270 of 2012 on furnishing bail bond of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIII, Muzaffarpur/concerned Court, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(ii) That one of the bailors shall be Soni Kumari, who is the daughter-in-law of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-

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