

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5518 of 2022**

Arising Out of PS. Case No.-148 Year-2017 Thana- KUDRA District- Kaimur (Bhabua)

Anita Devi Wife of Bajrangi Singh Resident of Village- Devasdihra P.S.-
Kudra, District- Kaimur At Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 02-08-2022 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 Kudra
P.S. Case No. 148 of 2017 registered for the offence under
Sections 304B, 201/34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 26.11.2021.

The allegation against the petitioner is to cause death
of the daughter of the informant along with other family
members due to non-fulfillment of demand of dowry.

Learned counsel appearing on behalf of the petitioner
submitted that the petitioner is innocent and has falsely been



implicated, in the present case. It is submitted that main accused, who is husband of the deceased has already been acquitted after the trial, where none of the prosecution witness supported the occurrence and moreover allegation against the petitioner is very much general and omnibus in nature. It is also submitted that similarly situated co-accused person has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 52498 of 2018 dated 20.12.2018. It is also submitted that petitioner is living separately and nothing surfaced during investigation against her, which may connect petitioner, with the present set of occurrence. It is also submitted that petitioner is a lady of clean antecedent. While concluding the argument, it has been submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioner is sister-in-law (*gotani*) of the deceased.

Considering the facts and circumstances as mentioned above, as nothing surfaced during course of investigation, *prima-facie* to connect the petitioner, with the present set of



occurrence, living separately coupled with the fact that petitioner is lady of clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with Kudra, P.S. Case No. 148 of 2017 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Addl. Chief Judicial Magistrate 4th Kaimur at Bhabua, 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 Jawala Singh, who is the devar of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
Pooja/-

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