

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10840 of 2022

Arising Out of PS. Case No.-64 Year-2020 Thana- UDAKISHUNGANJ District- Madhepura

MANJU DEVI W/o Mahendra Ram R/o village- Gorpar, Ward No. 03, P.S.-
Udakishunganj, District- Madhepura (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 11004 of 2022

Arising Out of PS. Case No.-64 Year-2020 Thana- UDAKISHUNGANJ District- Madhepura

RAVINDRA RAM S/o Mahendra Ram R/o village- Gorpar, Ward No. 03,
P.S.- Udakishunganj, District- Madhepura (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 10840 of 2022)

For the Petitioner/s : Mr.Anant Kumar 1

For the Opposite Party/s : Mr.Md. Mushtaque Alam

(In CRIMINAL MISCELLANEOUS No. 11004 of 2022)

For the Petitioner/s : Mr.Anant Kumar 1

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 11-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Udakishunganj P.S. Case No. 64/2020 registered for the



offences punishable under Sections 304(B)/34 of the Indian Penal Code.

As per prosecution case, the informant alleged that daughter of the informant namely Rinku Kumar was married with Ravindra Ram and in that marriage the informant gave sufficient gifts to her daughter. After one year husband and other relatives started demanding dowry upon non-fulfillment of same they started torturing and assaulting the informant's daughter. On the information given by the co-accused, Ravindra Ram, the informant reached to the house of co-accused and found the dead body of her daughter. It is further alleged that her daughter has been murdered due to non-fulfillment of dowry demand.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is a lady and there is general and omnibus allegation against the petitioner, she is mother-in-law of the deceased while she is living separately for a long time from her son namely, Ravindra Ram. The petitioner is languishing in custody since 12.10.2021 and bears no criminal antecedent. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. He further submits that co-accused,



Mahendra Ram, who is father-in-law of the deceased has already been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No.62758/2021.

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, on similar accusation co-accused, Mahendra Ram has already been granted bail by the co-ordinate Bench of this court, charge sheet has already been submitted in this case and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, since, the petitioner being mother-in-law residing separately from the deceased and her husband as submitted, let the petitioner, namely Manju Devi in Cr. Misc. No. 10840/2022 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 A.C.J.M.-1st, Uda-Kishunganj (Madhepura) in connection with Udakishunganj P.S. Case No. 64/2020, 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 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.

So far as Cr. Misc. No.11004/2022 is concerned, call for a legible carbon/photostat copy of the case diary alongwith report regarding stage of trial of Udakishunganj P.S. Case No. 64/2020 from the court of learned A.C.J.M.-1st, Uda-Kishunganj (Madhepura) and list Cr. Misc. No. 11004/2022 on 10.08.2022 or after receipt of the same, whichever is earlier.

(Alok Kumar Pandey, J)

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