

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13001 of 2022

Arising Out of PS. Case No.-8 Year-2022 Thana- JOGBANI District- Araria

1. LALITA DEVI W/o Satyanarayan Sahani Resident of Village- Tikuliya, P.S.- Jogbani, District- Araria.
2. Rubi Devi @ Rubee Devi W/o Birju Sahni Resident of Village- Tikuliya, P.S.- Jogbani, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 17-08-2022 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 petitioners and learned A.P.P. for the State.

The petitioners seek bail in connection with Jogbani P.S. Case No. 08/202 registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

As per prosecution case, there is accusation against the petitioners and others caused to death of the daughter of the informant due to non-fulfillment of demand of dowry.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this



case due to village politics. Petitioner no.1 is mother-in-law and petitioner no.2 is Gotani of the deceased. Learned counsel for the petitioners further submits that he has filed supplementary affidavit and mentioned in para 2, petitioners are living separately from the deceased. The petitioners were no concern with the alleged occurrence. The petitioners are languishing in custody since 13.01.202 and bear no criminal antecedent. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. Similarly situated co-accused persons have already been granted anticipatory bail by the co-ordinate Bench of this court vide Cr. Misc. No.21417/2022.

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

Considering the facts and circumstances of the case, period of custody, similarly situated co-accused persons have already been granted anticipatory 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 petitioners and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bonds of Rs.



10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-V, Araria in connection with Jogbani P.S. Case No. 08/2022, 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) Petitioners 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 petitioners tamper 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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