

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19558 of 2022

Arising Out of PS. Case No.-624 Year-2021 Thana- MUFFASIL District- West Champaran

Jubaida Khatoon W/o Gaffar Mian @ Gafar Miyan @ Gaffar Ansari Resident
of Village - Gurwalia Kachahari Tola, (Dhori Tola), P.O- Chuhari, P.S.-
Manuapul, Distt.- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-08-2022 Heard learned counsel for the petitioner and the
State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case has been lodged under sections 304B/34
of the Indian Penal Code in connection with Bettiah Muffasil
Manuapul P.S. Case No. 624 of 2021.

The allegation in the FIR is that the deceased lady
was married to the son of the petitioner herein six years ago.
Earlier they kept her with full dignity and out of the wedlock,
the couple had two sons and a daughter. However, later for
demand of motorcycle, she was tortured and on the fateful day,
the family got information that the lady has been killed. He as



such alleged that the husband as also his family members are behind the killing.

Learned counsel for the petitioner submits that there is specific accusation of demand of dowry against the husband's brother, sister, uncle and aunt and not this petitioner who happens to be an old lady and mother of the husband of the deceased. He has further attributed this Court's attention at para- 9 of the bail application to show that the husband of the deceased lady is in jail since 02.11.2021.

Taking into account the fact the petitioner is the mother of the husband who is already in jail, she has remained in jail since 2.11.2021 and charge-sheet against her stands submitted, this Court is inclined to grant her the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Bettiah Muffasil Manuapul P.S. Case No. 624 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show



his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail her cancellation of bail by the Trial Court itself;

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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