

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22900 of 2022

Arising Out of PS. Case No.-245 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

Mustari Khatoon W/O Md. Marhum Makdum Resident Of Village - Singhol ,
P.S.- Muffasil, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Dular Sah, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-07-2022 Heard Mr. Raj Dullar Sah, learned counsel
appearing on behalf of the petitioner and Mr. Damodar
Prasad Tiwary, learned Additional Public Prosecutor of the
State

Petitioner seeks bail in a case registered in connection
with Buxar Muffasil P.S. Case No. 245 of 2021 for the
offences punishable under Sections 498(A) and 306 / 34 of
the Indian Penal Code.

As per the prosecution case, it is alleged that the
marriage of the sister of informant was solemnized with
Md. Kurban in the year 2012 as per muslim rites and rituals.
After marriage both of them blessed with four children. It



is further alleged that the petitioner along with her son and other family members by making cruelty compelled the deceased to commit suicide.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is a lady aged about 62 years and residing separately from the deceased in mess and business. It is further submitted that even as per the F.I.R, there is no specific allegation of any torture for demand of dowry against the petitioner and moreover, the husband of the deceased is in custody since 24.01.2022.

On the other hand, learned counsel for the State opposed the bail application of the petitioner and submits that there is specific allegation against the petitioner that the deceased was subjected to demand of dowry, which resulted into commission of suicide.

Having heard the rival contentions of the parties and taking into consideration the fact that there is general and omnibus allegation against the petitioner and she happens to be mother-in-law of the deceased and as per the submission made on behalf of the counsel for the petitioner she is residing separately from the deceased in



mess and business since long moreover, petitioner is in custody since 24.01.2022, let the petitioner, above named, be released on bail on furnishing bail bonds of rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st class, Begusarai in connection with Begusarai Muffasil P.S. Case No. 245 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) the petitioner will cooperate in conclusion of the trial.

(ii) She will remain present on each and every date of trial till disposal of the case.

(iii) She will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) in the event of default of two consecutive dates without any cogent reason, her bail bonds will liable to be cancelled.

(Harish Kumar, J)

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