

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23557 of 2022

Arising Out of PS. Case No.-279 Year-2016 Thana- SONEPUR District- Saran

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Sheopati Devi, W/o Lalan Mahto, Resident of Village - Baijalpur, P.S.-
Sonpur, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Advocate
Mr.Nalin Kumar, Advocate
For the Opposite Party/s : Dr. (Mrs.) Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 16-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Sonpur P.S. Case No. 279 of 2016, registered for the alleged offences under Sections 304 (B), 201/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

As per the prosecution case, the daughter of the informant was killed and her dead body was disposed of by the in-laws of the deceased and the petitioner is stated to be the mother-in-law of the deceased. The cause of the occurrence is



stated to be a demand of motorcycle.

The learned counsel for the petitioner submits that there is general allegations against the petitioner, who is a lady aged about 61 years. The daughter of the informant died due to natural causes as she was suffering from diseases and due to ill motive, after fifteen days of her death, the informant filed the present case at the instigation of persons inimical to the family of the petitioner. The co-accused husband has been granted bail by a Coordinate Bench of this Court vide order dated 07.07.2020 passed in Cr. Misc. No. 71826 of 2019. The charge sheet has been submitted in this case and the petitioner is in custody since 26.03.2022.

Learned APP opposes the prayer for bail submitting that the petitioner is named in the FIR and she is the mother-in-law of the deceased and there is allegation of dowry death against her along with other co-accused persons.

Having regard to the facts and circumstances of the case and the submissions made hereinabove and further considering the distinct lack of material against the petitioner in the case diary except for the allegations that she and other co-accused persons were instrumental in causing the dowry death of the daughter of the informant and disposing of the dead body



and further considering the submission of charge sheet and the period of custody of the petitioner, she is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Saran at Chapra, in connection with Sonapur P.S. Case No. 279 of 2016, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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