

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23267 of 2022

Arising Out of PS. Case No.-316 Year-2021 Thana- AMAS District- Gaya

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Lalita Devi W/o Prayag Yadav @ Prayag Prasad Resident of Village- Tetariya
Shayam Nagar, P.S.- Amas, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 31-08-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Amas P.S. Case No. 316 of 2021 lodged under Sections
304(B)/34 of the Indian Penal Code.

As per the prosecution case, allegation has been made
against 7 named accused persons i.e. entire family member
relating to dowry death.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. The
daughter of the informant was ill and as she was ill, therefore,
information in this regard was communicated to the informant's

family and they reached prior to her death. It is further stated that the petitioner is mother-in-law of the deceased. It has been categorically mentioned that husband is in custody as of now. Learned counsel for the petitioner further submits that petitioner is in custody since 19.11.2021, aged about 50 years and having clean antecedent.

Learned counsel for the State opposes the prayer for bail.

Considering the facts and circumstances of this case and the submissions made above and also considering the fact that petitioner is female and living separately, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned J.M.F.C., Sherghati, Gaya in connection with Amas P.S. Case No. 316 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of her bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that she shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of her present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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