

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24367 of 2022

Arising Out of PS. Case No.-523 Year-2021 Thana- TEKARI District- Gaya

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Siyamani Devi Wife Of Gopal Yadav R/O Village- Gulariya Chak, Post
Office- Musi, P.S.- Tekari, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ujjawal Kumar Singh, Advocate
For the Opposite Party/s : Mr.Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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

The petitioner is in custody in connection with
Tekari P.S. Case No. 523 of 2021 under sections 304(B)/201/34
of the Indian Penal Code.

As per the allegation in the FIR, the informant's
daughter was married to one Niranjana Kumar in 2016 but was
being assaulted regularly due to non-fulfillment of demand of
dowry. Further allegation is that the informant's son-in-law was
in illicit relationship with a lady and on the fateful day (on
13.10.2021), he received information that his daughter fled
away from the in-laws' house. On information, he tried to search



his daughter but came to know that actually she has been killed and her dead body has been cremated with the tyres.

Learned counsel for the petitioner submits that the allegation of demand of dowry as also torture is against the husband and the petitioner being the mother-in-law had no role to play in the matter. He further submits that she was living separately and had nothing to do with the couple after solemnization of the marriage. The further submission of the learned counsel for the petitioner is that the husband is already in custody while for no fault of her, she is in custody since 28.2.2022 (as stated in para-1 of the bail application). He lastly submits with the help of the supplementary affidavit that so far as the children of the deceased is concerned, they are safe in the custody of the maternal grand parents (Nana-Nani).

Taking into account the aforesaid fact that accusation is against the husband who is already in custody and the petitioner being the mother-in-law is in custody since 28.2.2022 and charge-sheet stands submitted, this Court is inclined to grant him 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 Additional Chief



Judicial Magistrate-VI, Gaya or his successor in office, in connection with Tekari P.S. Case No. 523 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 cancellation of bail by the Trial Court itself;

(iii) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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