

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25962 of 2022

Arising Out of PS. Case No.-24 Year-2022 Thana- SIKRAUL District- Buxar

Kushum Devi, Wife of Nirmal Sah, R/O Village- Belahari, P.S.- Sikraul,
District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 27-06-2022 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 Sikraul P.S. Case No. 24 of 2022 registered for the alleged offences under Sections 304 (B)/ 34 of the Indian Penal Code.

Allegedly the petitioner along with other co-accused persons caused dowry death of the sister of the informant.

The learned counsel for the petitioner submits that the petitioner is mother-in-law of the deceased and general and



omnibus allegations have been levelled against the petitioner and other co-accused persons. The marriage was solemnized in November, 2021 only and the deceased was not happy with her marriage and she committed suicide which is obvious from the post-mortem report, which shows that cause of death is asphyxia due to hanging. The petitioner is in custody since 05.03.2022.

Learned APP has opposed the submission of the learned counsel for the petitioner and submits that the petitioner is named in the FIR.

Having regard to the submissions made hereinabove and considering the fact that post mortem report does not substantiate the claim of strangulation as alleged in the FIR, coupled with the fact that there is no other corroborative material and further considering the period of custody, the petitioner above named 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 Chief Judicial Magistrate, Buxar in connection with Sikraul P.S. Case No. 24 of 2022, subject to the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.



(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence for 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)

U		T	
---	--	---	--

