

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32411 of 2022

Arising Out of PS. Case No.-5 Year-2022 Thana- BARURAJ District- Muzaffarpur

Rambha Devi, S/o Ranjit Sah Resident of Village- Korigavan, P.S.- Baruraj,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-07-2022 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 Baruraj P.S. Case No. 05 of 2022 registered for the alleged offences under Sections 304 (B) and 34 of the Indian Penal Code.

The prosecution case is that the grand daughter of the informant was killed by the petitioner and other co-accused persons on account of dowry demand.

The learned counsel for the petitioner submits that petitioner is the sister-in-law (*gotani*) of the deceased and she



has been falsely implicated in this case. There is no foul play in the whole occurrence as is clear from the FIR itself. The mother-in-law of the deceased herself informed the informant about the death of his grand daughter. The post-mortem report shows death due to hanging though viscera has been preserved. Further the petitioner and her husband have been living separately from the deceased and husband and she has got no concern the family affairs of the deceased. The husband of the deceased is already in custody. Moreover, the allegation against the petitioner and other co-accused persons are non-specific, general and omnibus. The charge-sheet has been submitted in this case and the petitioner is in custody since 15.02.2022.

Learned APP opposes the prayer for bail submitting that the petitioner and other co-accused persons caused dowry death of the grand daughter of the informant. However, learned APP concedes that the post-mortem report shows the death due to asphyxia due to hanging.

Having regard to the submissions made hereinabove and considering the post-mortem report which points towards suicide by the grand daughter of the informant and further considering the fact that the charge-sheet has been submitted and the period of custody of the petitioner, 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 Judicial Magistrate 1st Class, Muzaffapur (West) in connection with Baruraj P.S. Case No. 05 of 2022, subject to 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.

(Arun Kumar Jha, J)

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