

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43800 of 2021

Arising Out of PS. Case No.-61 Year-2021 Thana- CHANDAUTI District- Gaya

RADHA DEVI W/O SRI RUP NARAIN SHARMA, resident of village-
Kujapi, P.S.-Chandauti, District-Gaya, at present resident of Village- Bhaluahi
Kharkhura, P.S.- Delha, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durgesh Nandan, Adv.

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 19-01-2022 The instant case has been taken up for
consideration through the mode of Video
conferencing in view of the prevailing situation on
account of COVID 19 Pandemic, requiring social
distancing.

Heard the learned counsel for the petitioner
and the learned APP for the State, Sri Nirmal Kumar
Sinha.

The petitioner seeks regular bail in connection
with Chandauti P.S. Case No. 61/2021, registered
for the offence punishable under Sections 304(B)
and 120(B) of the Indian Penal Code.

The allegation is regarding the accused
persons including the petitioner herein, who is the
mother-in-law of the deceased victim lady, having



killed the deceased victim lady on account of non-fulfillment of the demand for dowry.

The learned counsel for the petitioner has submitted that the petitioner is innocent, she has been falsely implicated in the present case and she is languishing in custody since 02.03.2021. The learned counsel for the petitioner has further submitted that the petitioner is the mother-in-law of the deceased victim lady and the main accused i.e. the husband of the deceased victim lady is behind bars. It is also submitted that the father-in-law of the deceased victim lady had died on account of heart attack when the police had gone to his house to arrest him in the present case. It is next submitted that no prejudice would be caused to the prosecution in case, the petitioner is granted bail, inasmuch as firstly, charge-sheet has already been submitted in the present case and the investigation is complete and secondly, the husband of the deceased victim lady is behind bars.

Per contra, the learned APP for the State has



vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the husband of the deceased victim lady, who is stated to be the main accused, is behind bars and the petitioner is the mother-in-law of the deceased victim lady who is languishing in custody since more than 10 months, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Gaya in connection with Chandauti P.S. Case No. 61/2021.

(Mohit Kumar Shah, J)

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