

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45158 of 2021

Arising Out of PS. Case No.-15 Year-2021 Thana- SURYAPURA District- Rohtas

KAUSHALYA DEVI @ SUSHILA DEVI @ KAUSHAYLA DEVI W/o
Ramnath Kahar R/o village- Milki, P.S.- Suryapura, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 30-03-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 30.01.2021, seeks
regular bail in connection with Suryapura P.S. Case No. 15 of
2021 registered for offences punishable under Sections 302 and
201/34 of the Indian Penal Code.

Prosecution story in brief is that petitioner along with
other co-accused persons, who are family members used to
torture and assault the daughter of the informant (deceased). On
22.01.2021, husband of the deceased informed him about death
of his daughter and on the said basis, the present case for
alleged murder of the daughter of the informant has been



lodged.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is the mother-in-law of the deceased never tortured her daughter-in-law. Infact the deceased was suffering from disease and in course of treatment she had died which has been supported by the several independent witnesses in course of investigation. Petitioner is in custody since 30.01.2021 and has clean antecedent. Even the alleged demand of dowry and torture was not made any time before the allegation made in the present F.I.R. He further submits that two small children, aged about four years and two years are left uncared as no one is there to look after them and she undertakes to keep the two children along with her and to consider her prayer for bail sympathetically the petitioner may be released on any terms and conditions as imposed by this Court.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case as well as, the fact that two small children of the deceased are left uncared, the petitioner is the grand-mother of the two children and the husband of the deceased is in custody and undertaking has been made on behalf of her by learned counsel Sri Rajnikant



Singh that she will take care of the two children and as such considering the said fact this court directs to release the petitioner above named, on bail upon furnishing bail bond of rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist, Bikramganj, District- Rohtas in connection with Suryapura P.S. Case No. 15 of 2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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