

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38772 of 2022

Arising Out of PS. Case No.-22 Year-2022 Thana- AMDABAD District- Katihar

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Bibi Pursia W/o Md. Sarif Resident of Village - Govindpur, P.s.- Amdabad,
Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar Chaubey, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Amdabad P.S. Case No. 22 of 2022 lodged under Sections 341,
323, 307, 498(A), 504, 34, 506 of the I.P.C. read with Section 3/4
of Dowry Prohibition Act.

As per the prosecution case, the informant has made
allegation against the 6 named accused persons that marriage of
her daughter was solemnized with one accused Shekh Rahmat.
The allegation of dowry demand has been made in the F.I.R.
The existence of one panchayat has also been mentioned in the
F.I.R. and thereafter, the allegation of killing her daughter by
sprinkling kerosene oil and close the door is there. In the F.I.R.,

all the allegations were general and omnibus in nature.

Learned counsel for the petitioner submits that petitioner is the mother-in-law. He further submits that a continuous dispute is used to take place between husband and wife which resulted into the second marriage of deceased's husband. Learned counsel for the petitioner submits that vide Annexure- 2 itself crystal clear that with the consent of guardians and the family members of both the parties, the said second marriage was solemnized and the deceased (i.e. first wife) started living with the family. Learned counsel for the petitioner submits that the alleged victim has taken the said bold step and decided to suicide herself. The petitioner being the mother-in-law has no grievances from her. Learned counsel for the petitioner submits that the petitioner is aged about 55 years. She is in custody since 30.01.2022. He further submits that charge sheet has already been filed. There is general and omnibus allegation in the entire F.I.R. and nothing specific are there against the present petitioner.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be

granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Amdabad P.S. Case No. 22 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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