

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44715 of 2022

Arising Out of PS. Case No.-528 Year-2018 Thana- BIDUPUR District- Vaishali

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SANJEETA DEVI @ SANGEETA DEVI W/o Late Raj Kumar Sah Resident
of Village - Vishanpur Chand (Chandpura), P.S.- Desari, Distt.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Amarnath Sah Son of Late Ram Awatar Sah Resident of Village -
Mustafapur, P.s.- Bidupur, Distt.- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1

For the Opposite Party/s : Mr.Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 05-12-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Bidupur P.S. Case No. 528 of 2018 registered for the offences

punishable under Sections 304(B), 201, 120(B)/34 of the Indian

Penal Code.

As per prosecution case, petitioner and others

concertedly committed the murder of informant's daughter for

non fulfillment of demand of dowry.

Learned counsel for the petitioner submits that



petitioner is in custody since 29.04.2022. Petitioner bears no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that the petitioner is innocent and has committed no offence as alleged in the F.I.R. Petitioner being mother-in-law has no say with the family affairs of the deceased. Petitioner is falsely been implicated in this case. Allegation against the petitioner is general and omnibus in nature. There is no specific allegation against the petitioner. Petitioner is living separately from the deceased and her husband since long.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, petitioner being mother-in-law living separately from deceased, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, keeping in view clean antecedent of the petitioner, argument advanced on behalf of the parties and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties



of the like amount each to the satisfaction of learned A.C.J.M. IV, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 528 of 2018, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

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

(Alok Kumar Pandey, J)

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