

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54310 of 2021

Arising Out of PS. Case No.-276 Year-2020 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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Jhunjhun Devi W/O Late Ashok Sah R/O Mohalla-Ramraji Road, Maripur,
P.S-Kazi Mohammadpur, District-Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad, Advocate
For the Opposite Party/s : Mr.Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 25-07-2022 Heard learned counsel for the petitioner and the State.

The petitioner, mother-in-law is in custody in connection with Kazi Mohammadpur P.S. Case No. 276 of 2020 under section 304(B),34 of the Indian Penal Code.

As per the allegation, the informant has alleged that marriage of his daughter, Sugani Kumari (deceased) was solemnized with Sujit Kumar in 2018 and the couple was blessed with a female child. However, she was always subjected to torture by her husband and the mother-in-law. He further alleged that on 5.10.2020, he got information about the death of his daughter. Upon reaching the place, he found bodies of his daughter and grand-daughter with 90-95 burn injuries. He as such alleged that they were killed by these accused persons.



Accordingly, the petitioner and the other accused namely Sujit Kumar were taken into judicial custody on 6.10.2020 and they are in jail since then (as stated in para-14 of the bail application).

In this case, case diary was called for on 11.4.2022.

Learned counsel for the petitioner has taken to this Court to paragraphs 15 and 17 of the case diary to show that from the statement made by the independent witnesses, it seems that due to regular quarrel in the family, the lady may have committed suicide along with her daughter as the door was broken by the neighbours and the dead bodies of both mother and daughter were found inside the room. He further submits that the petitioner is mother-in-law and nothing to do with quarrel between the son and the daughter-in-law. It has further submitted that husband of the deceased namely Sujit Kumar is in custody since 6.10.2020, charge-sheet has been submitted and she is ready to abide by all terms and conditions, if granted bail.

The learned counsel for the State has gone through the aforesaid paragraphs of the case diary and has acknowledged that the independent witnesses have made statements about the door being closed from inside which was broken by the neighbours.



Taking into account the aforesaid facts including the further facts that the petitioner is mother-in-law, husband is in custody, charge-sheet stands submitted and the lady is in jail since 6.10.2020 and is ready to abide by all terms and conditions imposed on her while granting bail, this Court is inclined to release her on bail with certain conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-1st (East) Muzaffarpur, in connection with Kazi Mohammadpur P.S. Case No. 276 of 2020 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail her cancellation of bail by the Trial Court itself;

(iii) she shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.



Considering the nature of the case, the trial court is directed to expedite the trial and conclude the same without unnecessary adjournment.

Nothing recorded in this bail order shall be taken into consideration during the course of the trial.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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