

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56326 of 2021

Arising Out of PS. Case No.-233 Year-2021 Thana- LALGANJ District- Vaishali

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1. Suresh Sah, aged about 40 years Male, Son of Mahesh Sah.
 2. Kanti Devi, aged about 62 years, Female Wife of Mahesh Sah.
 3. Putul Kumari, aged about 19 years, Female Daughter of Mahesh Sah.

All are residents of village- Lakhan Sarai, P.S.- Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 25-02-2022

Heard the parties.

Learned counsel for petitioners submits that petitioner no. 1, namely Suresh Sah has been arrested and he seeks permission to withdraw the application of petitioner no. 1.

Prayer is allowed.

The application on behalf of petitioner no. 1, namely Suresh Sah, stands dismissed as withdrawn and is now restricted to petitioners no. 2 and 3, namely Kanti Devi and Putul Kumar, respectively.

The petitioners no. 2 and 3, seek bail in anticipation



of their arrest in connection with Lalganj P.S. Case No. 233 of 2021 instituted for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

Having considered the matter that the lady is died by poison and her dead body was disposed of and there is allegation of immediate demand of dowry by the petitioner no. 2, I am not inclined to grant anticipatory bail to petitioner no. 2, namely Kanti Devi. Since petitioner no. 1, namely Suresh Sah has already been arrested, bail application of petitioner no. 1 is also dismissed as having become infructuous.

So far as petitioner no. 3, namely Putul Kumari is concerned, considering her young age and being the sister-in-law, I am inclined to allow the bail application of petitioner no. 3, namely Putul Kumari, in the event of arrest she shall be released on anticipatory bail, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, which are as under:-

1. The petitioner no. 3, namely Putul Kumari, shall furnish personal bond with her recent self-attested photograph and surety of the like amount on the following conditions at the satisfaction of the investigating officer;

2. The petitioner no. 3 shall cooperate with the investigation and make herself available for interrogation



whenever required;

3. The petitioner no. 3 shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade her from disclosing such facts to the court or to any police officer;

4. The petitioner no. 3 shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police;

5. The petitioner no. 3 shall not leave the territory of Vaishali at Hajipur, without prior permission of the Court, till trial is over;

6. The petitioner no. 3 shall maintain law and order;

7. The petitioner no. 3 shall, at the time of execution of the bond, furnish her address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

8. The petitioner no. 3 shall surrender her passport, if any, before the investigating officer within a week and, if she does not possess any passport, she shall file an affidavit to that effect before the investigating officer;

9. The petitioner no. 3 shall regularly remain present during the trial, and cooperate with the Hon'ble court to



complete the trial for the above offences.

(Sanjeev Prakash Sharma, J)

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