

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58781 of 2021

Arising Out of PS. Case No.-153 Year-2014 Thana- SAKRA District- Muzaffarpur

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Anju Devi W/O Bijali Sharma R/O Village- Dubaha Bujurg, P.S.- Sakra,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocae.

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 11-04-2022 Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The application has been filed for grant of bail to the
petitioner, above named, who has been made accused and put
behind the bar in connection with Sakra P. S. Case No. 153 of
2014 registered for the offences punishable under Sections 302,
328, 120(B) and 34 of the Indian Penal Code.

As per the prosecution case, it is alleged that the
petitioner is mother-in-law of the deceased (son-in-law) as the
marriage of her daughter was solemnized with the deceased. On
30.03.2014, the deceased had come to his *sasural* but on
31.03.2014 his condition suddenly started deteriorating and this



has been informed to his family members and, later on, he died.

It has been submitted by the learned counsel for the petitioner that during the course of investigation, it has come that the deceased was a habitual drunkard and from the F.S.L. Report, it transpired that he had consumed aluminium phosphide along with ethyl alcohol. It is further submitted that no external injuries have been found over the body of the deceased, apart from the fact that the other co-accused persons have already been granted bail by different benches of this Hon'ble Court. It is also submitted that father-in-law of the deceased, namely, Bijli Sharma has already been acquitted by the Court of learned A.D.J, XII vide judgement dated 17.09.2019.

On the other hand, learned APP for the State opposes the bail application of this petitioner and submits that the petitioner remained absconding and after so many years she approached before this Court.

Having heard the submissions made on behalf of the parties and taking into consideration this fact that the petitioner is mother-in-law of the deceased, aged about 61 years and other co-accused persons have already been granted bail and father-in-law of the deceased has been acquitted as well. Let



the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 12th -cum- Sub Judge IV, Muzaffarpur in connection with Sakra P. S. Case No. 153 of 2014, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) She will remain present on each and every date of trial till disposal of the case.
- (iii) She will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, her bail bonds will liable to be cancelled.

(Harish Kumar, J)

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