

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46205 of 2022

Arising Out of PS. Case No.-110 Year-2020 Thana- BALTHAR District- West Champaran

Anju Kumari @ Anju Devi W/o Anil Mahto Resident of Village- Bhawari
(Bhaunri), P.S.- Balthar, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

The petitioner is apprehending her arrest in a case
registered for the offences punishable under Sections 304(B)
and 34 of the Indian Penal Code.

According to the prosecution case, the daughter of
the informant was assaulted and killed by her in-laws members
due to non-fulfillment of demand of dowry

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and she has falsely been
implicated in the present case. He further submits that the



petitioner is sister-in-law of the deceased and she has no concern at all with the family affairs of the deceased. He further submits that the petitioner is living separately from the family members of the deceased. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons including the petitioner and there is no specific allegation of any assault or any demand against the petitioner. He further submits that the husband of the petitioner who is brother-in-law of the deceased and the husband of the deceased are already in judicial custody.

The learned counsel for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Balthar P.S. Case No. 110 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-



1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

2. 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

vanisha/-

U		T	
---	--	---	--

