

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48806 of 2022

Arising Out of PS. Case No.-19 Year-2022 Thana- DINARA District- Rohtas

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DURGA DEVI, W/o Ram Awatar Ram, R/o village- Kurusa, P.S.- Dinara
(Bhanas), District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Jai Prakash Singh, Advocate
For the State	:	Mr.Kumar Ranjit Ranjan, APP
For the Informant	:	Mr.Rajani Kant Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-12-2022 Today being Friday, matters are being taken up
through virtual mode, as per current procedure for hearing.

2. Heard learned counsel for the petitioner,
learned counsel for the informant and the learned APP for the
State.

3. The petitioner seeks bail in connection with
Dinara (Bhanas) P.S. Case No.19 of 2022 registered for the
offences punishable under Sections 498(A), 307 and 34 of the
Indian Penal Code and Section 3/4 of the Dowry Prohibition
Act.

4. By virtue of being *Gotni* of the deceased
(victim), the petitioner has been implicated in this case.

5. Learned counsel for the petitioner submits



that the informant is not the witness to the occurrence and the prosecution case is based only on suspicion. The petitioner being a lady has remained in custody now since 28.02.2022, and has no criminal antecedents. It is submitted that if at all the responsibility would lie with the husband, and the husband is already in custody since 15.02.2022. It is one of those typical cases where all the family members have been made accused by the informant.

6. Learned APP as well as learned counsel for the informant has opposed the prayer for bail. He has submitted that the petitioner has been named in the FIR.

7. Considering the rival submissions, period of custody and the fact that petitioner is a female family member of the victim's husband, this Court is inclined to allow the prayer for bail.

8. Prayer for bail is allowed.

9. Accordingly, let the petitioner, above named, 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 A.C.J.M.-IV -cum- Sub Judge-IV, Bikramganj (Rohtas), in connection with Dinara (Bhanas) P.S. Case No.19 of 2022, subject to the following conditions:



(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

10. This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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