

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51499 of 2022

Arising Out of PS. Case No.-50 Year-2022 Thana- RAMGARH District- Kaimur (Bhabua)

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Kunti Devi Wife Of Ram Ashish Ram @ Ramashish Ram R/O Village-
Tiyara, P.S. Ramgarh, District- Kaimur At Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 09-12-2022 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 Mr. Tribhuwan Narayan, learned counsel for
the petitioner and learned Additional Public Prosecutor for the
State through video conference.

The application for grant of bail to the petitioner,
above named, who has been made accused and put behind the
bar in connection with Ramgarh P. S. Case No. 50 of 2022
registered for the offences punishable under Sections 302,
304(B), 498 (A), 109/34 of the Indian Penal Code and Section
3/4 of the Dowry Prohibition Act.

The prosecution case is based on a written report
filed by the informant alleging therein that the marriage of the
daughter of the informant was solemnized in the month of June,
2021 and thereafter, she was subjected to cruelty and assault on



account of non-fulfilment to demand of dowry. On 13.02.2022 the *susral* people informed that his daughter is ill and on such information, when they reached in her *susral*, they found that the deceased was strangled to death.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner happens to be mother-in-law of the deceased and in fact, she had been living with her husband separately to her son. It is further submitted that there is general and omnibus allegation against all the family members and no specific allegation has been levelled against the petitioner, apart from the fact that the father-in-law of the deceased namely Ram Ashish Ram @ Ramashish Ram has already been allowed privilege of bail by learned coordinate Bench of this Court in Cr. Misc. No. 27225 of 2022. It is next submitted that the husband of the deceased is already in custody, so far this petitioner is concerned, she is in custody since 06.06.2022.

On the other hand, learned APP for the State opposes the bail application.

Regard being had to the submissions made on behalf of the parties and taking into account the fact that the petitioner happens to be mother-in-law of the deceased and there



is no specific allegation against her and moreover, the father-in-law of the petitioner has already been allowed privilege of bail, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -1st, Kaimur at Bhabua in connection with Ramgarh P. S. Case No. 50 of 2022, 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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