

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53649 of 2022

Arising Out of PS. Case No.-4 Year-2022 Thana- BARBIGHA District- Sheikhpura

Raj Kumari Devi, Female, aged about 65 years, W/O Ramvilash Yadav @ Rambilash Yadav Resident of village- Polharpar, P.S.- Barbigha, District- Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Raj Kishor Prasad, Adv.
For the Opposite Party : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-12-2022 This matter has been taken up today for consideration through video conferencing.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Barbigha (Keoti OP) PS Case No. 4 of 2022 registered for the offence punishable under Sections 304B, 302 and 328/34 of the Indian Penal Code.

The informant has alleged that his daughter has been done to death for non-fulfillment of demand for a four wheeler vehicle as dowry. He alleges killing by poisoning.

Learned counsel for the petitioner submits that from bare perusal of the FIR, it is apparent that the victim was taken to one



Jeevan Deep hospital, where she has died. The cause of death by a poison has still not emerged as the opinion of the doctor and viscera report has not received. Being mother-in-law, the petitioner has been implicated on suspicion and is in custody since 29-07-2022. The husband of the victim is in custody.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions and the fact that victim was taken to the hospital, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

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 CJM Sheikhpura, in connection with Barbigha (Keoti OP) PS Case No. 4 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 she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

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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