

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.54343 of 2022**

Arising Out of PS. Case No.-83 Year-2022 Thana- PAKRIDAYAL District- East Champaran

Mala Devi W/O- Kamal Sah Resident Of Village- Mathiya P.S.- Pakaridayal,
District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-12-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by the Stamp Reporter within two weeks.

Heard learned counsel for the petitioner and Mr. Aditya Narayan Singh, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Pakridayal P.S. Case No. 83 of 2022 registered for the offences under Section 304B, 302, 34 of the Indian Penal Code. She is in custody since 23.06.2022 having no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that her daughter was married to the co-accused Ram Balak Sah three years ago and was subjected to cruelty by her



husband, mother-in-law and father-in-law due to non-fulfillment of demand of Bullet motorcycle and she-buffalo and thereafter she was done to death by pressing her neck by all the accused persons including the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner is the gotni/sister-in-law of the deceased and she was living separately in mess and business, however she is in custody since 23.06.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the petitioner is said to be the Gotni/sister-in-law of the deceased and according to her she lives separately in mess and business, she has remained in custody since 23.06.2022, and there is no submission on behalf of the State that her release is likely to result in tampering with the evidence or interfering with the course of trial, therefore, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East



Champaran in connection with Pakridayal P.S. Case No. 83 of 2022, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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