

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.54740 of 2022**

Arising Out of PS. Case No.-27 Year-2019 Thana- CHERIYA BARIYARPUR District- Begusarai

Indu Devi Wife Of Anandi Yadav @ Anandi Prasad Yadav Resident of Village- Khanjahapur, Ward No.- 5 near Middle School, P.S.- Cheriabariyarpur, District- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No.1, Advocate
For the Opposite Party : Mr. Brajendra Nath Pandey, 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. Brajendra Nath Pandey, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with S.Tr. No. 640 of 2022 arising out of Cheriabariyarpur P.S. Case No. 27 of 2019 registered for the offences punishable under Sections 304(B), 34 of the Indian Penal Code. She is in custody since 21.02.2019. She has no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, the informant namely Ranbeer Yadav on 21.02.2019 submitted that her sister namely Lusi Kumari had married with Manish Kumar on 07.07.2016 and at the time of mar-



riage, 7 bhar gold, motorcycle and Rs. 1,00,000/- cash was given as gift to said Manish Kumar. It is alleged that after one year of marriage, the named accused persons including this petitioner started torturing the sister of the informant for non-fulfillment of the demand of one lakh Rupees and one bullet motorcycle. On 20.02.2019, at about 08:00 P.M., the villagers informed the informant that his sister has been set on fire by her in-laws and when he reached there, she was dead.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is in custody since 21.02.2019 having no criminal antecedent.

Learned counsel submits that the petitioner is the mother-in-law of the deceased and the father-in-law of the deceased has already been granted bail by a learned Co-ordinate Bench of this Court in Cr. Misc. No. 40346 of 2019.

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 this petitioner is said to be mother-in-law of the deceased and the allegations are general and omnibus in nature, she has remained in custody since 21.02.2019, investigation against her is complete and her presence may be secured in course of trial and



further that the father-in-law has already been granted regular bail by learned co-ordinate Bench of this Court in Cr. Misc. No. 40346 of 2019 (Annexure '2'), this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IV, Begusarai in connection with S.Tr. No. 640 of 2022 arising out of Cheriabariyarpur P.S. Case No. 27 of 2019, 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 her 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.

The application stands allowed.

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

(Rajeev Ranjan Prasad, J)

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