

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60296 of 2022**

Arising Out of PS. Case No.-456 Year-2021 Thana- GAYA MUFASIL District- Gaya

Karuna Devi Wife Of Shrawan Prasad R/O Village- Janakpur, P.S.- Muffasil,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Anil Kumar , A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 01-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

The petitioner is apprehending her arrest in a case
registered for the offences punishable under Sections 341, 323,
504, 506, 498A and 34 of the Indian Penal Code and Section 3/4
of the Dowry Prohibition Act.

According to the prosecution case, all the accused
persons including the petitioner brutally assaulted the informant
due to non-fulfillment of the demand of dowry.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and she has falsely been



implicated in the present case. He further submits that in fact, the petitioner is mother-in-law of the informant and the allegation against the petitioner is false and fabricated. He further submits that it appears from the F.I.R. that there is general and omnibus allegation of assault against all the accused persons including the petitioner.

The learned counsel for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Court below where the case is pending in connection with Mufassil P.S. Case No. 456 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without



sufficient reason, her bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. 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.

(Rajesh Kumar Verma, J)

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