

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66650 of 2021

Arising Out of PS. Case No.-59 Year-2021 Thana- PHENHARA District- East Champaran

Permila Devi W/o Ranjit Mahto R/o village- Harinagar Marpa, P.S.-
Phenhara, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 304(B), 120-B/34 of the Indian Penal Code.

According to prosecution case, the informant Anita Devi filed a written application before S.H.O. of Phenhara police station stating therein that her daughter Chandani Devi was married to Ranjan Mahto on 06.05.2019 as per the Hindu rituals and informant gave ornaments and clothes as per her capacity but in spite of that the accused persons named in the



F.I.R. were torturing her daughter for the demand of dowry and were also committing mar-pit and were abused her daughter and for this, several times, the informant tried to pacify the matter but all went in vain. On 30.04.2021 her daughter Chandani Devi called the informant on her phone and told her that all accused persons were conspiring to kill her for the dowry demand and when the daughter of the informant namely Chandani Devi reached there all the accused persons became silent. It is further alleged that on 01.05.2021 the villagers of Harinagar informed the informant that her daughter Chandani Devi is died. On this information the informant along with her wife went to the maternal home of the victim Chandani Devi at Harinagar and found her daughter dead.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that in fact the petitioner is the mother-in-law of the deceased. He further submits that it appears from the F.I.R. that there is general and omnibus allegation of demand of dowry against all the accused persons. He further submits that the son of the petitioner is also in judicial custody. He further submits that the police after investigation submitted the charge sheet against the petitioner.



The petitioner is in custody since 02.05.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 Court below where the case is pending in connection with Sessions Trial No. 482 of 2021 arising out of Phenhara P.S. Case No. 59 2021, subject to the 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 his absence on two consecutive dates without sufficient reason, his 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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