

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68402 of 2021**

Arising Out of PS. Case No.-328 Year-2020 Thana- BELAGANJ District- Gaya

Sushila Devi Wife of Sudama Choudhary Resident of Village- Reward, P.O.-
Chakand, P.S.- Belaganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Tiwari, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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

2 28-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

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

As per prosecution, in brief, is that the allegations against the petitioners are that they along with other co-accused persons killed the daughter of the informant for not fulfilling the demand of dowry.

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



implicated in the present case only because the petitioner is sister-in-law of the deceased. Further submits that it appears from the F.I.R. that there is general and omnibus allegation against the petitioner and the other co-accused persons namely Chhotu Chaudhary @ Jailam Chaudhary has been granted bail by this Court vide order dated 08.12.2021 in Cr. Misc. No. 37819 of 2021, other accused namely Budhan Chaudhary has been granted bail by this Court vide order dated 22.04.2022 in Cr. Misc. No. 64956 of 2021 and another co-accused Rupra Kumari has been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 07.04.2022 in Cr. Misc. No. 52323 of 2021 and the petitioner is in custody since 08.08.2021.

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

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Belaganj P.S. Case No. 328 of 2020, with 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 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 witness, 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 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.

(Rajesh Kumar Verma, J)

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