

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70596 of 2021**

Arising Out of PS. Case No.-163 Year-2021 Thana- SARMERA District- Nalanda

RAJO DEVI Wife of Kaillu Yadav Resident of Village - Bari Malama, P.S.-  
Sarmera, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Satya Prakash

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

3      27-09-2022                      Let the defect(s), as pointed out by the office, be  
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

The petitioner seeks bail in connection with  
Sarmera P.S. Case No. 163 of 2021 registered for the offences  
punishable under Sections 304/ 34 of the Indian Penal Code.

As per prosecution case, petitioner and others  
committed the murder of informant's sister as well as her infant  
for non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that  
petitioner is in custody since 01.09.2021 and bears no criminal  
antecedent. Charge sheet has been submitted in the case and  
there is no likelihood of tampering with the prosecution



evidence. Petitioner is mother-in-law of the deceased and she has falsely been implicated in the case. Learned counsel further submits that petitioner is residing separately from the deceased and her family. Petitioner being lady has no say in the family affairs of the deceased.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, petitioner being lady has no say in the family affairs of the deceased and she has been residing separately from the deceased, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Sarmera P.S. Case No. 163 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn



the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

**(Alok Kumar Pandey, J)**

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