

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10318 of 2023

Arising Out of PS. Case No.-63 Year-2022 Thana- RAMPUR CHAURAM District-
Jehanabad

NIJU DEVI Wife of Dinesh Chandravansi Resident of Village-
Mahammadpur Wara, P.S.- Rampur Chauram, District- Arwal (Jehanabad)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-05-2023 Heard the parties.

The petitioner is in custody since 23.07.2022 in connection with Rampur Chauram P.S. Case No. 63 of 2022 for the offence punishable under Sections 302, 120(B) and 34 of I.P.C. lodged on 08.07.2022 by the informant Uday Chandravanshi.

The prosecution story, in brief, is that the informant's daughter, Mamta Devi was married with the petitioner herein in the year 2018 as per hindu rites and custom. On 07-07-2022, the 'Samadhi' of the informant has informed that his daughter has pain in her stomach and is being taken to Sadar Hospital for treatment. Later, she was referred to Patna but she died. It was alleged that this petitioner has illicit relation with his 'Bhabhi'



(the petitioner herein) who had also threatened to kill his daughter. It has further been alleged that the petitioner besides co-accused persons have committed murder of daughter of the informant. Accordingly, the FIR.

It has been submitted by the learned counsel for the petitioner that the petitioner is 'Gotni' of the deceased and living separately having no role to play in the matter.

Learned APP opposes the prayer but concedes that the petitioner is a lady.

Considering the fact that the petitioner has remained in custody since 23.07.2022 (as stated in para 12 of the petition), do not have criminal antecedent and she is 'Gotni' of the deceased, this Court is inclined to extend her the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M., 1st, Arwal (Jehanabad), in connection with Rampur Chauram P.S. Case No. 63 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

With the aforesaid observations, the application is allowed.

(Rajiv Roy, J)

Ravi/Kiran-

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