

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18136 of 2023

Arising Out of PS. Case No.-88 Year-2020 Thana- AGION (GARHANI) District- Bhojpur

BAIJANTI DEVI @ VIJANTI DEVI Wife of Ramdayal Singh R/v-
Bishamvra @ Bishambhra, P.S.- Agiaon, District- Bhojpur (Ara)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malti Kumari

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

3 12-04-2023 Heard the learned counsel for the petitioner as well
as learned APP for the State.

The petitioner apprehends her arrest in connection with Agiaon Garhani P.S. Case No. 88 of 2020, registered for the offences punishable under Sections 304 (b)/201/34 of the Indian Penal Code.

As per allegation, the marriage of deceased Chandni Devi was solemnized with the son of the petitioner in the year 2016. The accused persons, including the petitioner, who is mother-in-law of the deceased subjected her to cruelty for non-fulfillment of a golden chain and Rs. 50,000/- cash. The accused persons also demanded Rs 2,00,000/- cash and a motorcycle and when the informant expressed inability to fulfill the demand,



they committed murder of the deceased.

The learned counsel for the petitioner has submitted that the petitioner is mother-in-law of the deceased. She is innocent and has falsely been implicated. Her prayer for anticipatory bail was earlier rejected vide Cr. Misc. No. 63152 of 2021, but the petitioner is renewing her prayer for anticipatory bail on the fresh ground that after rejection of the anticipatory bail petition the trial commenced and all 4 witnesses including the informant have deposed during course of trial that the family members of the deceased never subjected her to cruelty neither they made demand of dowry. As a matter of fact, the deceased died due to cardiac failure.

On the other hand, the learned APP has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances, let the petitioner, in the event of her arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-XI, Bhojpur, Ara in connection with Agiaon Garhani P.S. Case No. 88 of 2020, subject to the conditions as laid down



under Section 438(2) Cr.P.C.

The petitioner shall make herself available on each and every date of trial. In case of failure on two consecutive dates without any valid reason, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(Nawneet Kumar Pandey, J)

Sudha/Sonali

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