

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19993 of 2023

Arising Out of PS. Case No.-335 Year-2022 Thana- BARHARA District- Bhojpur

Mina Devi Wife Of Sudama Sah Resident Of Village - Babhangawa, P.S. -
Barhara (KRISHNAGARH O.P.), Distt. - Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
24.01.2023 in connection with Barhara (Krishnagarh O.P.)
P.S. Case No. 335 of 2022, F.I.R. dated 14.05.2022 registered
for the offence punishable under Sections 304(B)/34 of IPC.

Allegation against the petitioner is that she alongwith
other co-accused persons have in furtherance of their common
intention committed the dowry death of the daughter of the
informant.

Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and she has
falsely been implicated in the present case mainly on the



ground that she is mother-in-law of the deceased. Further submits that from bare perusal of the FIR it transpires that there is general and omnibus allegation against all the accused persons including the petitioner. There is no specific allegation of any assault or overt-act attributed against the petitioner and the husband of the deceased is already in custody and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 24.01.2023.

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

Considering the aforesaid facts, 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 learned C.J.M., Bhojpur at Ara in connection with Barhara (Krishnagarh O.P.) P.S. Case No. 335 of 2022, 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 his/her absence on two consecutive dates without sufficient reason, his/her 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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