

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27962 of 2023

Arising Out of PS. Case No.-1253 Year-2022 Thana- KAHALGAON District- Bhagalpur

RENU DEVI Wife of Shekhar Tanti Resident of village - Baiju Tola, P.S. -
Kahalgaon, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rana Randhir Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
14.11.2022 in connection with Kahalgaon P.S. Case No. 1253 of
2022, F.I.R. dated 13.11.2022 for the offences punishable under
Sections 304B/34 of the Indian Penal Code.

3. According to prosecution case, allegation against
the petitioner is that she along with her family members killed
the daughter of the informant on the pretext of non-fulfillment
of demand of dowry .

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and she has falsely been
implicated in the present case merely on the ground that
petitioner is mother-in-law of the deceased. He further submits



that bare perusal of F.I.R. it appears that there is no specific allegation of any assault of overt-act is attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that the informant is not the eye witness of the alleged occurrence merely on the suspicion the present F.I.R. instituted against the petitioner and the husband of the deceased is in judicial custody. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 14.11.2022.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 the learned Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon P.S. Case No. 1253 of 2022, subject to 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 absence on two consecutive dates without sufficient reason, his 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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