

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34081 of 2022

Arising Out of PS. Case No.-296 Year-2021 Thana- KHIJARSARAI District- Gaya

Dharamshila Devi W/o Anandi Chauhan R/o village- Mahmadpur, P.S.-
Khizersarai, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 01-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 304B of the Indian Penal
Code.

According to prosecution case, the petitioner along
with other accused persons always assaulted the daughter of the
informant due to non-fulfillment of demand of dowry and on
09.10.2021, they killed her by sprinkling kerosene oil and took
her for cremation.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and she has falsely been implicated in the present case. He further submits that in fact, the petitioner is the mother-in-law of the deceased and she has no concern at all with the family affairs of the deceased. He further submits that the husband of the deceased is in custody since, 23.02.2022. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 26.02.2022.

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

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 Court below where the case is pending in connection with Khizersarai P.S. Case No. 296 of 2021, 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 her absence on two consecutive dates without sufficient reason, 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 her 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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