

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34306 of 2023

Arising Out of PS. Case No.-182 Year-2021 Thana- MIRGANJ District- Gopalganj

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MAINA DEVI Wife of Amawas Ram @ Amawash Ram Resident of village -
Khushiya Chhapar, Bhediya Tola, P.S.- Mirganj, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Mirganj
P.S. Case No. 182/2021 registered for the offences punishable
under Sections 304(B)/34 of the Indian Penal Code.

As per prosecution case, the daughter of informant
was done to death due to non-fulfillment of demand of dowry
by the petitioner and other co-accused persons.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. The petitioner is languishing in custody since 23.03.2023
and bears no criminal antecedent. Petitioner is living separately
from deceased and her husband. Petitioner is mother-in-law of
the deceased and she has no say in the family affairs of the



deceased and her husband. The allegation against the petitioner is general and omnibus in nature. Co-accused Amawas Ram @ Amawash Ram, Hiralal Ram @ Harilal Ram and Ashok Kumar Ram on similar allegation have already been granted bail by the co-ordinate Benches of this Court vide Cr. Misc. No.49524/2022 and Cr. Misc. No.50330/2022 respectively and the case of present petitioner stands on similar footing.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, petitioner is living separately from deceased and her husband, on similar allegation co-accused persons have already been granted bail, argument advanced on behalf of both sides, keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XV, Gopalganj in connection with Mirganj P.S. Case No. 182/2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother



or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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