

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37506 of 2023

Arising Out of PS. Case No.-292 Year-2022 Thana- BHELDI District- Saran

SITA KUMARI DAUGHTER OF GULAB SAH RESIDENT OF VILLAGE-
JOGANI PARSA, PS- BHELDI, DISTT- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 07-07-2023 Heard the parties.

The petitioner is in custody in connection with Bheldi P.S. Case No. 292 of 2022 for the offence under Sections 304 (B) and 34 of the Indian Penal Code lodged on 12.08.2022 by the informant, Ramesh Shah.

The prosecution case, in brief, is that the informant alleges that on 12.06.2022, they got information about the illness of his daughter. When they reached their daughter's in-law's house, they saw victim lying dead on the ground with a black mark on her neck. His daughter was strangled to death by her son-in-law, Raju Sah father-in-law, Gulab Sah, mother-in-law, Gadairi Devi, sister-in-law, Sita Kumari altogether due to dowry. Accordingly, the F.I.R.

It is contended by the learned counsel for the



petitioner that she is the sister-in-law and the husband Raju Sah is in custody since 13.08.2022 (as stated in para 13 of the petition).

Learned APP opposes the prayer for bail.

Taking into account that the petitioner is a nineteen years old girl, the husband of the petitioner is in custody and from the petition it reflects that the mother-in-law and father-in-law have since been granted bail vide order dated 11.04.2023 passed in Cr. Misc No. 6350 of 2023, she has remained in custody since 13.08.2022 (as stated in paragraph-13 of the petition), this Court is inclined to extend her the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Addl. Sessions Judge, 7th, Saran at Chapra in connection with Bheldi P.S. Case No. 292 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

With the aforesaid observations, the application is allowed.

(Rajiv Roy, J)

Jagdish/kiran/-

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