

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36953 of 2023**

Arising Out of PS. Case No.-203 Year-2022 Thana- RIGA District- Sitamarhi

CHANDRAKALA DEVI W/O PRAGAS BAITHA @ PRAKASH BAITHA  
R/O Village- Piprahi, P.S- Riga, Distt.- Sitamarhi (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      27-07-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. Petitioner seeks bail, who is in custody since 02.06.2022, in connection with Sessions Trial No. 445 of 2022 arising out of Riga P.S. Case No. 203 of 2022, F.I.R. dated 02.06.2022 registered for the offences punishable under Sections 304(B), 201, 34 of the Indian Penal Code.

3. The daughter of the informant is said to have been assaulted, tortured and lastly killed by the petitioners in association of other co-accused on non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and she has been falsely implicated in the present case merely on the ground that she is



mother-in-law of the deceased. He further submits that from perusal of the F.I.R. it appears that there is general and omnibus allegation against all the accused persons including the petitioner and the petitioner has never demanded any dowry from the family members of the deceased. He further submits that co-accused persons namely Prakash Baitha, Raso Baitha, Nagina Devi and Pramila Kumari @ Prmila Kumar have been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 17.01.2023 passed in Cr. Misc. No. 68861 of 2022 and the husband of the deceased is in judicial custody. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 02.06.2022.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner.

6. In view of the aforesaid facts and circumstances of the case and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XV, Sitamarhi, in connection with Sessions Trial No. 445 of 2022 arising out of Riga P.S. Case No. 203 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 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 witness, 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 antecedents, 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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