

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36759 of 2023

Arising Out of PS. Case No.-380 Year-2021 Thana- UDAKISHUNGANJ District-
Madhepura

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BINDA DEVI W/O LATE CHHOTELAL CHAURASHIYA R/O Vill.
Sheikhpur Chaman, Ward No. 15, PS. Udakishunganj, Dist. Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-08-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
02.10.2022 in connection with Udakishunganj P.S. Case No.
380 of 2021, F.I.R. dated 16.12.2021 registered for the
offence punishable under Sections 304(B) and 201/34 of the
Indian Penal Code.

3. Allegation against the petitioner is that she
alongwith other co-accused persons have in furtherance of their
common intention committed the death of the daughter of the
informant.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and she has



falsely been implicated in the present case merely on the ground that the petitioner is mother-in-law of the deceased. Further submits that from bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 02.10.2022.

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

6. Considering the aforesaid facts and period of custody, 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 learned A.C.J.M., Udakishunganj, Madhepura in connection with Udakishunganj P.S. Case No. 380 of 2021, with the following conditions:-

(I) 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/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) 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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