

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41074 of 2023

Arising Out of PS. Case No.-36 Year-2022 Thana- BHADHWAR District- Gaya

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LALITA DEVI W/O NAGENDRA PASWAN R/O Village- Chahra Pahra, PS.
Bhadwar, Dist. Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is in custody since 24.01.2023 in connection with Bhadwar P.S. Case No. 36 of 2022 for the offence punishable under Section 304 (B)/ 34 of the I.P.C. lodged on 20.12.2022 by the informant Devrani Devi

As per the prosecution story, the informant alleged that the marriage of her daughter was solemnized with the Niraj Paswan but she was regularly tortured for dowry. On the fateful day, he got information that her daughter has been killed in her in-laws house. Accordingly, the F.I.R.

Learned counsel for the petitioner submits that the husband of the deceased is in custody (as stated in paragraph-10 of the petition). Further, the lady is mother-in-law living



separately from the couple and have no role to play in the matter and is in custody since 24.01.2023 (as stated in para 11 in the bail application)

Learned APP opposes the prayer.

Considering the fact that the petitioner is a lady, has already suffered by being in custody since 24.01.2023, the husband is in jail and she do no have criminal antecedent, this Court is inclined to extend him 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 S.D.J.M. Sherghati, Gaya, in connection with Bhadwar P.S. Case No. 36 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 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 his 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 his bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

Jagdish/Jyoti/-

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