

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45621 of 2023

Arising Out of PS. Case No.-294 Year-2021 Thana- GARKHA District- Saran

SHARDA DEVI Wife of Shyam Lal Sah Resident of Garkha, P.S.- Garkha,
District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-08-2023 Heard the learned Counsel for the petitioners and
Mr. Rabindra Kumar who represent the State.

The petitioner apprehends his arrest in connection with Garkha P.S. Case No. 294 of 2021 for the offence punishable under Section 323, 341, 307, 498(a), 313, 379, 504, 506/ 34 of the IPC and ¾ of the D.P Act lodged on 27.04.2021 by the informant Laxmi Devi.

As per the prosecution story, the allegation is that the marriage of the lady took place 13 years ago but was regularly tortured for dowry and further the accused persons tried to pour kerosene oil and tried to burn her but due to the presence of the nearby, she could be saved. Accordingly, the FIR.

Learned counsel for the petitioner submits that she is sister-in-law (*gotni*) living separately and nothing to do with the



alleged problem of the couple.

Learned APP opposes the prayer.

Considering the fact that the petitioner is a sister-in-law (*gotni*) and living separately, this Court is inclined to extend her the privilege of anticipatory bail with conditions.

Let the petitioner, in the event of her arrest or surrender within a period of four weeks from the date of the receipt of the order, 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 Judicial Magistrate 1st class, Saran at Chapra, in connection with Garkha P.S. Case No. 294 of 2021, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show 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 anticipatory bail
application is allowed.

(Rajiv Roy, J)

Jagdish/Jyoti/-

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