

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46439 of 2022

Arising Out of PS. Case No.-107 Year-2022 Thana- VAISHALI District- Vaishali

NILAM DEVI W/o Suresh Patel @ Suresh Singh Resident of Village -
Rasulpur, P.s.- Vaishali (Belsar OP), Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rafi Ahmad, Advocate
For the Opposite Party/s :	Mr. Braj Kishore Pd., APP
For the Informant :	Mr. Raj Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 15-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State
as well as learned counsel appearing on behalf of the informant.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Vaishali
(Belsar O.P.) P.S. Case No. 107 of 2022 registered for the
offence under Sections 498(A), 304(B), 302 and 34 of the
Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 04.04.2022.

The allegation against the petitioner is to cause death
of daughter of informant along with other co-accused



persons/family members, due to non-fulfillment of demand of dowry as raised for cash of Rs. 2,00,000/-.

Learned counsel appearing on behalf of the petitioner submitted that admittedly from the face of FIR, it appears that petitioner not belongs to the family of husband of deceased, where, it appears that she is the wife of the friend of husband of deceased. It is also submitted that allegation as regard to assault is very much general and omnibus against this petitioner. It is also submitted that admittedly the petitioner is living separately with the deceased and her family and having no connection with their daily and domestic affairs. While concluding the argument, it is submitted that petitioner is lady of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP duly assisted by learned counsel for the informant, while opposing the prayer of bail, submitted that the petitioner was in illicit relation with husband of deceased, which appears to be the root cause for the occurrence, as surfaced during course of investigation.

Considering the facts and circumstances as mentioned above, as petitioner is not a relative of the husband of deceased,



who is a lady of clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Vaishali (Belsar O.P.) P.S. Case No. 107 of 2022, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishalit at Hajipur/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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