

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52602 of 2023

Arising Out of PS. Case No.-316 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Lakshmi Devi W/O Jagjeevan Singh R/O Village- Sakrauli, P.S- Mohania,
District- Kaimur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Anand, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

3. Petitioner seeks bail who is in custody since 09.06.2023 in connection with Mohania P.S. Case No. 316 of 2023, F.I.R. dated 15.05.2023 for the offences punishable under Sections 304B, 498A/34 of the Indian Penal Code.

4. According to prosecution case, all the accused persons including the petitioner have strangled the daughter of the informant to death due to non-fulfillment of the demand of Rs. 5 lakhs rupees from the informant for starting a business.

5. Learned counsel for the petitioner submits that



petitioner has clean antecedent and she has falsely been implicated in the present case merely on the ground that she is mother-in-law of the deceased. He further submits that it appears from the F.I.R that there is no specific assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that it has come during investigation that the deceased has committed suicide herself. The petitioner is in custody since 09.06.2023.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances, 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 the learned Additional Chief Judicial Magistrate , Mohania, Kaimur (Bhabhua) in connection with Mohania P.S. Case No. 316 of 2023, subject to 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 her absence on two consecutive dates without sufficient



reason, 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 her 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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