

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55101 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- CHIKSAUR District- Nalanda

Sanju Devi W/o Bhim Prasad Resident of vill - Pachara Per, P.s. - chiksaura,
Distt. - Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Mohan, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Mr. Birendra Kumar, Advocate
		Mr. Kumud Kishore, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-11-2023 Heard Mr. Rajesh Mohan, learned counsel for the petitioner, Mr. Birendra Kumar, learned counsel appearing on behalf of the informant as well as Mr. Jitendra Kumar Singh, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Chiksaura P.S. Case No. 48 of 2023, F.I.R. dated 11.05.2023 for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including the petitioner have killed the daughter of the informant due to non-fulfillment of demand of dowry.

4. 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 there is no accusation 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. He further submits that the informant is not the eye witness of the alleged occurrence and the husband of the victim who also happens to be the son of the petitioner is in judicial custody.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R and there is specific allegation against all the accused persons that they have murdered the daughter of the informant.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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, Hilsa (Nalanda) in connection with Chiksaura P.S. Case No. 48 of 2023, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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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