

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57105 of 2023

Arising Out of PS. Case No.-55 Year-2021 Thana- SARAI RANJAN District- Samastipur

KALI DEVI W/O RAMANAND GIRI R/O VILLAGE- RAIPUR, P.S.-
SARAI RANJAN, DIST.- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection with Sarairranjan P.S. Case No. 55 of 2021 registered under Sections 341, 323, 326(A), 367, 498A, 504, 307 and 506/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act lodged on 01.04.2021 by the informant, Muskan Kumari

As per the prosecution story, the allegation is that the victim lady was married to Chandan Giri but was tortured for dowry and on the fateful day, information came that they poured kerosene oil and put her on fire and she died of burn injury. Accordingly, the FIR.

It is the case of petitioner that while making tea accidentally, the fire broke up, she was rushed to J.S. Hospital,



Samastipur on 20.03.2021 and died three weeks later on 20.04.2021 and the informant was aware of all these developments. Further submission is that she is an old lady, living separately and has suffered by being in custody since 21.12.2021 (as stated in paragraph-13 of the petition). Last submission is that the husband, namely, Chandan Giri is in custody since 08.09.2021 as stated in paragraph-14 of the petition).

Learned APP opposes the prayer for bail.

Considering the submissions put forward by the learned counsel for the parties, she is an aged lady, do not have criminal antecedent, is in custody for two years and will be facing the trial, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned VII, Additional Sessions Judge, Samastipur in connection with Sarairranjan P.S. Case NO. 55 of 2021 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/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 his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) 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 his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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