

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59350 of 2022

Arising Out of PS. Case No.-482 Year-2021 Thana- HARSIDHI District- East Champaran

BHUNIYA DEVI @ BHUNIYA wife of Binda Paswan @ Binda Hajra
Resident of village - Padhariya (Padria Kanchhedwa), Police Station -
Harsiddhi, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar,Advocate

For the Opposite Party/s : Mr.Md. Ataur Rahman,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends her arrest in connection
with Harsidhi P.S. Case No. 482 of 2021, G.R. Case No. 6791 of
2021 for the offence registered under Sections 304(B) and 34 of
the Indian Penal Code.

As per the prosecution story, the allegation is that the
lady was married to Satendra Paswan but was regularly tortured
for dowry and on the fateful day, the informant's side came to
know about the death. Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that she is
an aged lady, mother-in-law and had nothing to do with the
present case, living separately. Further, by way of paragraph 7, it



has been incorporated that the husband, Satendra Paswan is in jail.

Considering the aforesaid facts as also that she is a lady and do not have criminal antecedent, this Court is inclined to extend her privilege of anticipatory bail with conditions.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory 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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Harsidhi P.S. Case No. 482 of 2021, G.R. Case No. 6791 of 2021 subject to condition as laid down under Section 438(2) of the Cr.P.C with further conditions:-

(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 the bail bonds.

(v) the petitioner shall co-operate in the investigation
and made himself available to the police as and when required.

(Rajiv Roy, J)

Jagdish/Neha/-

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