

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58139 of 2022

Arising Out of PS. Case No.-239 Year-2016 Thana- PHULWARISHARIF District- Patna

BANGALI DEVI @ URMILA DEVI wife OF BENGALI RAI @
HARGOVIND RAY R/O BHUSAULA DANAPUR, P.S.- PHULWARI
SHARIF, DISTT.- PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Yadav
For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-01-2023 Heard the learned Senior Counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Phulwari Sharif P.S. Case No. 239 of 2016, registered for the offence punishable under Sections 498(A), 307, 304(B)/34 of the Indian Penal Code and 314 of the Dowry Prohibition Act.

The accused persons including the petitioner herein, who is the mother-in-law of the deceased victim lady, are alleged to have killed the deceased victim lady by sprinkling kerosene oil on her and setting her on fire, resulting in her



subsequent death.

The learned Senior Counsel for the petitioner has submitted that the petitioner is innocent, she has been falsely implicated in the present case, she is having a clean antecedent and she is languishing in custody since 28.5.2022. It is submitted by the learned Senior Counsel for the petitioner that the petitioner is aged about 70 years and there is no specific allegation qua her as also the main accused person, i.e. the husband of the deceased victim lady, has already surrendered before the learned court below and has most probably been granted bail. Hence, it is submitted that no prejudice would be caused to the prosecution, in case the petitioner is enlarged on bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials



available on record as also considering the fact that a general and omnibus allegation has been levelled qua the petitioner herein, apart from the fact that she is aged about 70 years, she is having a clean antecedent, she is languishing in custody since 28.5.2022 and the main accused i.e. the husband of the deceased victim lady has already surrendered and has also been enlarged on bail, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Patna in connection with Phulwari Sharif P.S. Case No. 239 of 2016.

(Mohit Kumar Shah, J)

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