

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57374 of 2022

Arising Out of PS. Case No.-233 Year-2021 Thana- LALGANJ District- Vaishali

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KANTI DEVI Wife of Mahesh Sah Resident of Village- Lakhan Sarai, P.S.-
Lalganj, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-02-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 304(B)/34 of IPC.

The prosecution case in shot is that the informant
alleges that on 01.07.2021, he got an information that
his daughter and his minor “Natni” were done to death and dead
body were being disposed by her husband and in-laws. On such
information, he went there and found their dead bodies lying
there and the accused persons were absconding taking two
children. His daughter Chandani Kumari was
married with co-accused namely, Uday Sah about five years ago
and blessed with three children from their wedlock. Further
alleges that the petitioner and co-accused persons used to harass,



torture and assault his daughter due to non-fulfillment of demand of Rs. 2,00,000/- as dowry.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. She has falsely been implicated in the present case on the basis that the petitioner is mother-in-law of the deceased and it appears from the FIR that no specific allegation or overt-act is alleged against the petitioner and the several co-accused persons have been granted anticipatory bail or regular bail by different Coordinate Benches of this Hon'ble Court vide orders at Annexures-1, 3 and 3/1 to this bail petition and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 22.06.2022.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, 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 learned court below where the case is pending in connection with Lalganj P.S. Case No. 233 of 2021 with the following conditions:-

(1) 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

(3) 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 his 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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