

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60981 of 2023

Arising Out of PS. Case No.-542 Year-2018 Thana- HAJIPUR SADAR District- Vaishali

Pyari Devi Wife Of Ram Ekbal Rai R/O Vill - Manua, P.S. - Hajipur Sadar,
Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Smiti Bharti, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-09-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 23.01.2023, in connection with Hajipur Sadar P.S. Case No. 542 of 2018, F.I.R. dated 04.09.2018 registered for the offences punishable under Sections 304B/201/34 of IPC.

3. The prosecution case in brief is that the marriage of the informant's daughter was solemnized on 18th June, 2017. The informant as per his status gave gifts to the family of the accused after the marriage. After some time the daughter conveyed that the accused persons are demanding rupees one lac in cash and a motorcycle. Thereafter the informant gave rupees fifty thousand to his son-in-law for purchasing motorcycle but the accused persons were continued to pester her



for dowry. On 04.09.2018 the informant received information that accused persons have killed his daughter by setting on fire and disposed of the dead body.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and she has falsely been implicated in the present case. The allegation as alleged in the FIR is forged and fabricated. From perusal of the FIR it appears that general and omnibus allegation is there against the accused persons including the petitioner and there is no specific allegation of assault and overt-act against the petitioner who is mother-in-law of the deceased. Co-accused Ram Ekbal Rai, who is husband of the petitioner and father-in-law of the deceased, has been granted bail by this Court in Cr. Misc. No.30521 of 2022 and the husband of the deceased has also been granted bail by the learned lower Court itself. The police after investigation submitted charge sheet. The petitioner is in custody since 23.01.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. 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 Additional Sessions Judge-IV, Vaishali at Hajipur, in connection with Hajipur Sadar P.S. Case No. 542 of 2018, with the 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 his/her absence on two consecutive dates without sufficient reason, his/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 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)

Mkr./-

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