

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65912 of 2023

Arising Out of PS. Case No.-138 Year-2021 Thana- COMPLAINT CASE District- Lakhisarai

FULO DEVI Wife of ShreeSao R/o vill - Kachhiyana, P.S. - Amhara, Distt. -
Lakhisarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 08-12-2023 Heard the parties.

2. The petitioner is apprehending arrest in connection with Complaint Case No. 138C of 2021 instituted under Sections 498(A) and 34 of the Indian Penal Code lodged.

3. As per the prosecution story, the girl was married to Dharmendra Kumar, son of the petitioner, who daily tortured her for dowry and complaint is that in 2019 she was beaten and the husband has solemnized second marriage.

4. Learned counsel for the petitioner submits that she has nothing to do with the marital discord between the parties, she is an aged lady and does not have any criminal antecedent.

5. Learned APP opposes the prayer.

6. Considering the facts that the petitioner is mother-in-law, 57 years of age and does not has criminal antecedent will



be ultimately facing the trial, as undertaken by learned counsel for the petitioner, this Court is inclined to extend her privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of her arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Complaint Case No. 138C of 2021 to the satisfaction of learned C.J.M., Lakhisarai subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other 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 her bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make herself available to the police as and when required;

(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 the 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 her bail bonds.

(Rajiv Roy, J)

Jagdish/Adnan

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