

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61389 of 2022

Arising Out of PS. Case No.-228 Year-2022 Thana- HUSSAINGANJ District- Siwan

1. JEERA DEVI W/o Shambhu Sharma R/v- Sahuli Bazari Tola, P.S.- Hussainganj, District- Siwan
2. RUBI DEVI W/o Sanjay Sharma R/v- Sahuli Bazari Tola, P.S.- Hussainganj, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 20-04-2023 Heard the learned counsel for the petitioners as well as Mr. Ram Priya Sharan Singh, the learned Additional Public Prosecutor for the State.

The petitioners are seeking regular bail in connection with Hussainganj P.S. Case No. 228 of 2022 registered for offence punishable under Sections 304(B)/201/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

As per allegation, the marriage of the deceased was solemnized with Dharmendra Sharma. The accused persons demanded Rs.50,000/- and a motor cycle in dowry. The informant came to know that the accused persons committed murder of his daughter and cremated her dead body.



The learned counsel for the petitioners has submitted that the petitioners are mother-in-law and *Gotni* (sister-in-law) of the deceased. They are living separately from the husband of the deceased, having no concern with him and they are under custody since 20.08.2022.

On the other hand, the learned APP has opposed the prayer for bail.

A report was called for about stage of the trial. The report has been received and it shows that though charges have been framed on 13.03.2023, but the witness has not been examined.

Considering the above-mentioned facts and circumstances, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Siwan in connection with Hussainganj P.S. Case No. 228 of 2022, subject to the following conditions:-

- (i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.
- (ii) If the petitioners are found involved in future



in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.

(iii) The petitioners shall remain present physically before the court below on each and every date till conclusion of the trial and their failure to physical appearance shall lead to cancellation of their bail bonds.

(Nawneet Kumar Pandey, J)

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