

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66637 of 2023

Arising Out of PS. Case No.-353 Year-2023 Thana- CHAPRA TOWN District- Saran

Rajiya Devi @ Rajeshwari Devi Wife Of Late Bachchapuri Resident of
village - Mouna Mishra Toli, Police Station - Chapra Town, District - Saran
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Chapra Town P.S. Case No. 353 of 2023 registered for the offences punishable under Sections 304(B)/120B/34 of the Indian Penal Code. She has got no criminal antecedent.

3. As per the prosecution story, on 22.06.2022 the daughter of the informant was married to Om Shivam Puri according to Hindu Rites and Rituals. It is alleged that after some time, the husband and in laws of the daughter of the informant started torturing her due to non-fulfillment of demand of dowry. It is alleged that on 27.04.2023, the informant received a phone call about the death of his daughter.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is a widow lady aged about 96 years old and is bed-ridden.

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

6. Having regard to the facts and circumstances of the case wherein it is the submission of the learned counsel for the petitioner that she is a widow lady aged about 96 years old and is bed-ridden, the husband of the deceased is already in judicial custody and the petitioner has otherwise no criminal antecedent, this Court directs that in case of her arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in connection with Chapra Town P.S. Case No. 353 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chapra, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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 her



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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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