

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67163 of 2022

Arising Out of PS. Case No.-28 Year-2021 Thana- IMAMGANJ District- Gaya

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Kunty Devi @ Raj Kumari Devi Wife Of Hira Yadav R/O Village- Kosma,
P.S.- Imamganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-03-2023 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 the Indian Penal Code.

Allegation against the petitioner is that she alongwith
other co-accused persons have in furtherance of their common
intention committed the dowry death of the daughter of the
informant.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent. She has falsely been
implicated in the present case. Further submits that the
petitioner is mother-in-law of the deceased and it appears from
the FIR that there is general and omnibus allegation against all
the accused persons including the petitioner. There is no specific



allegation of any assault or overt-act or demand of dowry against the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 29.08.2022.

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 Imamganj P.S. Case No. 28 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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