

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73031 of 2023

Arising Out of PS. Case No.-336 Year-2023 Thana- KESARIA District- East Champaran

SUNITA DEVI @ LILAWATI DEVI WIFE OF AJAY MISHRA RESIDENT
OF VILLAGE- CHAKDARIYA, P.S.- KESARIYA, DISTRICT- EAST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-11-2023

Heard the parties.

2. The petitioner is an accused in connection with Kesariya P.S. Case No. 336 of 2023 registered for the offences under sections 304(B) and 34 of the Indian Penal Code lodged on 06.07.2023 by the informant, Abhinay Kumar.

3. As per the prosecution story, the informant's sister was married to the petitioner's son but was always tortured for dowry and in continuation of that the allegation is of killing her on 05.07.2023.

4. It is the case of the petitioner that she is a widow, an aged woman, living separately from the couple, had no role to play in the matter. Further, the husband Ritesh Kumar is in custody as stated in paragraph 8 of the petition.



5. Learned APP for the State, on the other hand, opposes the prayer for bail.

6. Taking into account the fact that the husband is in custody, the petitioner is a widow mother, do not have criminal antecedent and is in custody since 06.07.2023 (as stated in paragraph 13 of the bail application), this Court is inclined to extend her privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Kesariya P.S. Case No. 336 of 2023, subject to the following conditions-:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show 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 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 her bail bonds;

(iv) 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.

8. With the aforesaid observations, the bail application
is allowed.

(Rajiv Roy, J)

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