

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71049 of 2022

Arising Out of PS. Case No.-334 Year-2022 Thana- MUFFASIL District- Aurangabad

Priya Kumari, D/O Sunil Singh @ Sunil Kumar Singh, Resident of Village-
Basdiha, P.S.- Aurangabad Muffasil, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-02-2023 This case is listed for hearing out of turn on

account of mentioning that the petitioner has to take

admission in B.A. course and her presence is required there.

Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with

Aurangabad Muffasil Case No. 334 of 2022, registered for

the offences punishable under Sections 341, 323, 307,

498(A) of I.P.C and 3/4 of Dowry Prohibition Act.

The prosecution case as emerges form the FIR is

that the marriage of the informant's daughter, namely,

Deepika @ Rani was solemnized with Prabhat Kumar



according to Hindu rites and customs on 05.12.2021. After some times, she was being tortured by her in-laws for non-fulfillment of illegal demand of dowry. It has been further alleged that on 22.09.2022, he came to know that all accused persons have set his daughter on fire in order to kill her by pouring the kerosene oil on her body. Thereafter, he brought to his daughter to hospital, where her treatment is going on.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the allegation against the petitioner is general and omnibus. He also submits that the petitioner is a sister of the husband of the alleged victim and all the in laws have been falsely implicated in the FIR with intent to harass them. He also submits that the petitioner is named in the FIR only on suspicion, otherwise she has nothing to do with the matrimonial life of the victim and her husband. He further submits that the petitioner is a student of graduation.

He further submits that the petitioner has been



languishing in jail since 24.09.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, aurangabad in connection with Aurangabad Muffasil Case No. 334 of 2022, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his



absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

It is made clear that in case the ground of out of turn hearing as mentioned by Ld. Counsel for the petitioner is found to be false by the court below on information



provided by the informant and the court below getting satisfied that the ground mentioned for out of turn hearing is false, the court below shall cancel the bail-bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

ramesh/-

U		T	
---	--	---	--

