

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2251 of 2023

Arising Out of PS. Case No.-86 Year-2020 Thana- AGIAON BAZAR District- Bhojpur

SHANTI DEVI W/O Gulab Sharma R/O Village- Agiaon Bazar, P.S- Agiaon
Bazar, District- Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Mishra

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 25-01-2023 Heard Mr. Awadhesh Kumar Mishra, learned counsel
for the petitioner and Mr. Rajendra Singh, learned
Additional Public Prosecutor for the State.

Petitioner renews her prayer for bail in connection with
Agiaon Bazar P.S. Case No. 86 / 2020 registered for the
offence punishable under Sections 304 (B) / 120 (B) / 34 of the
I.P.C.

This is second attempt for grant of regular bail on
behalf of the petitioner inasmuch as earlier bail application
of the petitioner was permitted to be dismissed as withdrawn
vide order dated 24-03-2022 passed in Cr. Misc. No. 32448 /
2021 with liberty to the petitioner to renew her prayer for grant
of regular bail after six months from the date of the order.

Learned counsel for the petitioner submits that the



petitioner is the mother-in-law of the deceased. The allegation in the First Information Report is against all family members including the husband of the deceased that they have killed the daughter of the informant by setting her on fire due to non-fulfillment of the demand of dowry. Learned counsel further submits that all the family members have been made accused in this case and the allegation against the petitioner is general and omnibus in nature. He next submits that charge has already been framed and the husband of the petitioner Gulab Sharma has been granted the privilege of bail by this Court in Cr. Misc. No. 71102 of 2022 by order dated 21.12.2022. The petitioner is in custody since 16/08/2020 (i.e. for almost 2 ½ years).

Regard being had to the submissions made by the petitioner, taking into consideration the materials on record, the fact that the petitioner is the mother-in-law of the deceased, there is general and omnibus allegation against her, she is in custody since 16.08.2020, husband of the petitioner has been granted bail, the petitioner is a lady and this is second attempt for grant of bail, as such, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs.10,000/-



(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge VII, Bhojpur at Ara in connection with Agiaon Bazar P.S. Case No. 86 of 2020 subject to the condition the petitioner will be well represented on each date in the trial and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

(Anil Kumar Sinha, J)

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