

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73918 of 2022

Arising Out of PS. Case No.-482 Year-2020 Thana- PAHARPUR District- East Champaran

MANTURIYA DEVI W/o Late Binda Yadav R/v- Neerpur, P.S.- Pahadpur,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-01-2023 Heard the parties.

The petitioner is in judicial custody in connection with Pahadpur P.S. Case No. 482 of 2020 registered under Section 304B/34 of the Indian Penal Code and Section 3 & 4 of the Dowry Prohibition Act.

The petitioner had earlier moved before this Court vide Cr. Misc. No. 53351 of 2021 which was rejected on 6.4.2022.

As per the prosecution story, the informant's grand daughter Puja Kumari was married to Binda Yadav on 9th of June, 2020 in which they had gifted items worth Rs. 1,50,000/-. However, they never stopped from demanding dowry and in the process it is alleged that the deceased lady was tortured. On 31st of December, 2020, he got information from local villagers that



accused persons have assaulted and killed his grand daughter. The informant went there with his grandson and nephew and found none of them in the house. With the help of the villagers and Police, finally the dead body was recovered from a sugarcane field. It is in this way that the present FIR came to be lodged against the accused persons.

Learned counsel for the petitioner submits that the petitioner is mother-in-law and has already suffered by being in custody since 24.6.2021 (as stated in para-11 of the bail application. He further submits that the charges have been framed and he will be cooperating in the trial.

Taking into account the aforesaid fact that she is lady, do not have any criminal antecedent and has been in custody since 24.6.2021 and will be cooperating in the trial as undertaken by the learned counsel for the petitioner, this Court is inclined to grant her the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned 14th Additional Sessions Judge, East Champaran, Motihari, in connection with Sessions Trial No. 214 of 2022 arising out of Pahadpur P.S. Case No. 482 of 2020 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 his/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 the 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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/-

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

