

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73508 of 2023

Arising Out of PS. Case No.-302 Year-2023 Thana- RAMGARHWA District- East
Champaran

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SUNAINA DEVI WIFE OF LAL BABU SAH RESIDENT OF VILLAGE-
PACHORI TOLA, P.S.-RAMGARHWA, DISTRICT-EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-11-2023 Heard the parties.

2. The petitioner is an accused in connection with Ramgarhwa P.S. Case No. 302 of 2023 registered for the offences under sections 304(B), 201, 120(B) and 34 of the Indian Penal Code lodged on 14.07.2023 by the informant, Vinod Prasad.

3. As per the prosecution story, the informant alleged that his daughter was married to Pradeep Sah two and half years ago but was tortured for dowry. A panchayati was also held but the matter could not materialize and on 14.07.2023, he got information about the killing of his daughter. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that she is the mother-in-law, living separately from the couple, nothing



to do with them and further the husband is in custody. The last submission is that she has already suffered by being in custody since 15.07.2023 (as stated in paragraph 11 of the bail application).

5. Learned APP for the State, on the other hand, opposes the prayer for bail stating that there is an allegation of demand of dowry and killing.

6. Taking into account the fact that the petitioner is an aged lady, mother-in-law, has remained in custody since 15.07.2023 and the husband is in custody as stated in paragraph 10, 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 Sub Divisional Judicial Magistrate, Raxaul, East Champaran, Motihari in connection with Ramgarhwa P.S. Case No. 302 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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