

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74256 of 2022

Arising Out of PS. Case No.-157 Year-2022 Thana- BARURAJ District- Muzaffarpur

KOSHILA DEVI Wife of Jagarnath Mahto R/V- Kuahi,P.S- Baruraj, Distt-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Adv.

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-03-2023 Heard the parties.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 304(B)/201/34 of the Indian Penal Code.

Allegedly, petitioner, along with other accused persons, is said to have tortured upon the informant's daughter over the dowry demand. Due to non-fulfillment of the dowry demands, they killed her daughter.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is mother-in-law of the deceased. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no concern with the death of the deceased. It is



further submitted that the husband of the deceased has surrendered before the learned Court below on 28.03.2023. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the husband of the deceased has surrendered before the learned Court below, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Baruraj P.S. Case No. 157 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Learned Court below is directed to verify the fact whether the husband of the deceased has surrendered before the learned Court below or not. If it is found that husband of the deceased has not surrendered before the learned Court, the bail bond of the petitioner shall not be accepted by the learned court below.

(Anjani Kumar Sharan, J)

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