

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5858 of 2024

Arising Out of PS. Case No.-563 Year-2023 Thana- BUXAR District- Buxar

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1. MUNIA DEVI WIFE OF LALJI RAM @ LALJI R/O-KHALASI MUHALLA, P.S.-BUXAR (T), DISTT.-BUXAR
 2. LALJI RAM @ LALJI SON OF CHATU RAM R/O-KHALASI MUHALLA, P.S.-BUXAR (T), DISTT.-BUXAR
 3. BHUAR RAM SON OF LALJI RAM @ LALJI R/O-KHALASI MUHALLA, P.S.-BUXAR (T), DISTT.-BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kuamr Ojha, Advocate
For the Opposite Party/s : Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 09-04-2024 It has been informed by learned counsel for the petitioners that during the pendency of the anticipatory bail application, the petitioner no.2, Lalji Ram @ Lalji and petitioner no.3, Bhuar Ram have been arrested and as such the petition against them stands dismissed as infructuous.

2. Heard the parties.

3. The petitioner no.1, Munia Devi is apprehending arrest in connection with Buxar (T) P.S. Case No. 563/2023 instituted under Section 304(B)/34 of the Indian Penal Code lodged on 10.10.2023 by the informant, Chhotak Ram.

4. As per the prosecution story, the victim girl was



married to Dhanjee Ram but was always tortured for dowry and on the fateful day, came to know that she has been killed. Accordingly, the FIR.

5. Learned counsel for the petitioner submits that no.1, Munia Devi is the mother-in-law, having no role to play in the matter, she died by suicide, they were living separately. The last submission is that husband is in custody (para-6 of the petition).

6. Learned APP opposes the prayer for anticipatory bail.

7. Taking into account the submission put forward by the learned counsel for the petitioner as also she is lady, husband is in custody and do not have criminal antecedent, this Court is inclined to extend her privilege of anticipatory bail.

8. Let the petitioner be released on bail, in the event of her arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Buxar (T) P.S. Case No. 563/2023 to the satisfaction of learned Chief Judicial Magistrate, Buxar subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.



(i) one of the bailor should be the family member of the petitioner no.1, Munia Devi who shall provide official document to show his/her bona fide;

(ii) the petitioner no.1, Munia Devi 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 no.1, Munia Devi shall co-operate in the investigation and make herself available to the police as and when required;

(iv) the petitioner no.1, Munia Devi 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;

(v) the petitioner no.1, Munia Devi 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.

(Rajiv Roy, J)

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