

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17218 of 2024

Arising Out of PS. Case No.-670 Year-2023 Thana- BODHGAYA District- Gaya

Mamta Kumari @ Mamta Devi Wife of late Binod Yadav Resident of Vill.-
Suryapura, P.S.-Bodhgaya, Distt.-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Bodhgaya P.S. Case No.670 of 2023, lodged on 15.08.2023,
under Section 302/34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
three named and some unknown accused persons. As per the
prosecution, the FIR has been lodged by the father-in-law on
suspicion.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is in custody since 17.08.2023 having no criminal
antecedent. Counsel further submits that the allegation has been



made by father-in-law against his daughter-in-law for killing of his son. From the content of the FIR he submits that the case has been filed only and only on the basis of suspicion. Counsel submits that charge sheet has already been filed against the petitioner. Counsel further submits that the petitioner a female and basically the victim of this case as she is the real sufferer.

5. Learned counsel for the State and informant vehemently oppose the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Bodhgaya P.S. Case No.670 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) One of the bailor should be the family member of the petitioner who shall provide official document to show his 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 his bail bonds 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 evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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 the bail bonds.

(Dr. Anshuman, J)

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