

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9378 of 2024

Arising Out of PS. Case No.-685 Year-2023 Thana- FATEHPUR District- Gaya

Munni Devi W/O- Damodar Yadav R/O- Village- Ragaini, P.S.- Fatehpur,
Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sheikh Arkan Ahmad, Adv.
For the Opposite Party/s	:	Mr. Satyendra Prasad, APP
For the Informant	:	Mr. Abhishek Anand, Adv.
		Ms. Madhuri Kumari, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 25-04-2024 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the Informant.
Perused the case diary.

2. The petitioner seeks bail in connection with
Fatehpur P.S. Case No. 685 of 2023 instituted for the offences
under Section 302/34 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of committing
murder of the daughter of the Informant/deceased by
administering poison due to non-fulfillment of the dowry
demand. It has also been alleged that the husband of the
deceased has illicit relationship with his sister-in-law/Munni



Devi (the petitioner).

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against her in the F.I.R. and has falsely been implicated in the present case. He submits that there is no specific or direct allegation against the petitioner rather the same is general and omnibus in nature. The husband of the deceased is already in judicial custody. Charge-sheet has been submitted in this case. The petitioner has no criminal antecedent and is languishing in judicial custody since 17.09.2023 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner stating that the petitioner is named in the F.I.R. and there is specific allegation against the petitioner. The charge-sheet has been submitted against the accused persons under Section 302/34 of the I.P.C. It is further submitted that though in the medical report there is no sign of external injuries but, the viscera was preserved for its chemical examination and the opinion is kept reserved as yet. During course of investigation, several witnesses have also supported the case of the prosecution. The offence alleged against the petitioner is serious in nature and, thus, the petitioner does not deserve bail



6. Considering the entire facts and circumstances of the case, the period of custody of the petitioner and the petitioner having no specific allegation as also the fact that the husband of the deceased is already in custody, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Fatehpur P.S. Case No. 685 of 2023, subject to the following conditions;

(i) One of the bailors shall be own/close member of the family of the petitioner.

(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

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