

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13774 of 2024

Arising Out of PS. Case No.-565 Year-2022 Thana- MAJHAULIA District- West Champaran

SHOBHA DEVI @ BACHIYA DEVI W/O RATAN SAH R/O VILLAGE-
JAUKATIYA, P.S.- MAJHAULIA, DIST.- WEST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

Ms. Bharti Rai, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-03-2024 Heard Ms. Bharti Rai as also Mr. Sanjeev Kumar,

learned Counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends her arrest in connection with Majhauria P.S. Case No. 565 of 2022 for the offence registered under sections 304B, 201 and 34 of the Indian Penal Code lodged on 01.08.2022 by the informant, Manju Devi.

3. As per the prosecution story, the lady was married to the Nitesh Sah but was always tortured for dowry and the allegation is that the husband is having illicit relationship with her sister-in-law, the same was protested, assaulted that led to her death. This followed the FIR.

4. Learned Counsel for the petitioner submits that she is cousin mother-in-law of the deceased, no role to play in the



matter, living separately from the family, is an aged person and the last submission is that the husband is in custody.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Considering the submissions put forward by the parties as also that she is cousin mother-in-law, husband is in jail, FIR lodged, will ultimately face the trial, this Court is inclined to extend her privilege of anticipatory bail.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bettiah, West Champaran in connection with Majhauria P.S. Case No. 565 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(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 the 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 the bail bonds.

(Rajiv Roy, J)

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