

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22910 of 2024

Arising Out of PS. Case No.-104 Year-2022 Thana- BATH District- Bhagalpur

1. Rekha Devi Wife Of Domi Yadav Resident Of Village- Dindayarpur, Ps-Bath, Dist- Bhagalpur
2. Mukesh Yadav Son Of Domi Yadav Resident Of Village- Dindayarpur, Ps-Bath, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Roushan, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 30-08-2024 At the outset, learned counsel for the petitioner prays for withdrawal of the petition against the petitioner no.2, Mukesh Yadav for the present. Accordingly, so far as the petitioner no.2 is concerned, his bail application stands rejected.

2. Heard the parties .

3. The petitioner no.1, Rekha Devi is in judicial custody in connection with Bath P.S. Case No. 104 of 2022 for the offence punishable under Sections 304(B),328 and 34 of Indian Penal Code lodged on 07.12.2022 by the informant, Veena Devi.

4. As per the prosecution story, the informant alleged that her daughter was married to the petitioner no. 2 but she was



tortured for dowry and on the fateful night, was administered poison by the family members. Accordingly the FIR.

5. Learned counsel for the petitioner submits that there was minor tiff in the family, she committed suicide by consuming poison but the family members gave it a color of alleged killing the lady is 62 years old and living separately, having no role to play.

6. Learned APP opposes the prayer for bail and submits that the role of the lady cannot be ignored.

7. Though the allegation is there, she is an aged lady, do not have criminal antecedent, as per the contention. She was living separately, FIR lodged, will be facing the trial. In that background, this Court is inclined to extend relief to the petitioner no.1.

8. Let the petitioner no.1, Rekha Devi be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Additional District Judge-XIV, Bhagalpur in connection Bath P.S. Case No. 104 of 2022 subject to the 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) petitioner no.1, Rekha 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 his bail bond by the Trial Court itself.

(iii) petitioner no.1, Rekha Devi shall in no way try to induce or promise or threat the witness or tamper the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(iv) petitioner no.1, Rekha Devi shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ravi/Ankit/-

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