

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30395 of 2024

Arising Out of PS. Case No.-186 Year-2011 Thana- PIPRAKOTHI District- East Champaran

Sobha Devi @ Shobha Devi @ Suganti Devi W/o Moti Lal Sahani @ Moti
Lal Sahni R/O Village - Jhakhara Musahari Tola, Tola - Balua, P.S. - Pipra
Kothi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Sharda Kumari, APP

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

ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 68 of 2017, arising out of Piprakothi P.S. Case No. 186 of 2011, instituted for the offences punishable under Sections 328, 304(B), 34 and 201 of the Indian Penal Code.

3. The prosecution case, in short, is that, due to non-fulfillment of demand of dowry, in-laws of the deceased used to torture her and the petitioner mixed poison in the food of the deceased due to which she died.

4. Learned counsel for the petitioner submits that the petitioner is the mother-in-law of the deceased and has falsely



been implicated in the present case. Police, after investigation submitted final form against all the accused persons including the petitioner. However, learned Trial Court differing with the police report took cognizance for the offences under Section 328, 304(B), 201 and 34 of the Indian Penal Code. Thereafter, the petitioner challenged order of cognizance but the same was rejected vide order dated 17.03.2023 by a Co-ordinate Bench of this Court. Learned counsel for the petitioner further submitted that charge has been framed against the petitioner. The petitioner is in custody since 19.02.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that co-accused have been granted bail by a Co-ordinate Bench of this Court vide order dated 26.11.2012 passed in Cr. Misc. No. 40846 of 2012.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and charge being framed, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sessions Trial No. 68 of 2017, arising out of Piprakothi P.S. Case No. 186 of 2011, 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 is found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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