

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39615 of 2024

Arising Out of PS. Case No.-457 Year-2023 Thana- BODHGAYA District- Gaya

Kalo Devi W/O Tilak manjhi R/O Village Baghey Khap, P.S.Cherki(Bodh Gaya), Distt-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Bodh Gaya (Cherki) P.S. Case No. 457 of 2023, instituted for the offences punishable under Section 304(B)/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, daughter of the informant was done to death at her matrimonial house by the petitioner and her in-law due to non-fulfillment of the demand of dowry.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. The petitioner is mother-in-law of the deceased. The petitioner is separate in mess and business from the husband of the deceased. It is submitted that the husband of the deceased is already in



judicial custody. The petitioner is in custody since 18.01.2024 and has got no criminal antecedent. From perusal of the FIR, it would transpire that there is general and omnibus allegation against the petitioner rather no specific allegation is levelled against the petitioner. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 13.03.2024 passed in Cr. Misc. No. 16576 of 2024.

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 claim based on parity, 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 Bodh Gaya (Cherki) P.S. Case No. 457 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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