

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 44148 of 2024

Arising Out of PS. Case No.-107 Year-2024 Thana- SONO District- Jamui

Kari Devi W/O- Sudheswar Sah Village- Sarewad, P.S.- Sono In The District
Of Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Anand, Adv.
Ms. Madhuri Kumari, Adv.
For the Opposite Party/s : Mr. Umeshanand Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-07-2024 Heard learned counsel appearing on behalf of the
petitioner and learned Additional Public Prosecutor for the
State.

2. The petitioner seeks regular bail, who is in custody
in connection with Sono P.S. Case No. 107 of 2024 registered
for the offence punishable under Sections 498A and 304(B) of
the I.P.C. and u/s 34 of the Dowry Prohibition Act.

3. Based upon a written report the prosecution alleges
that the marriage of the daughter of the informant was
solemnized with the son of the petitioner three years ago.
However, soon after the marriage she was subjected to demand
of dowry and on account of non-fulfillment of the same she was



tortured and lastly done to death at the hands of the accused persons.

4. Learned counsel appearing on behalf of the petitioner contended that from the narrations made in the FIR it is evident that omnibus nature of allegation has been levelled against all the family members including the petitioner, who is the mother-in-law of the deceased. From the materials available on record it is also evident that the deceased was taken to the hospital where she was under the treatment and died while she was on ventilator. The aforesaid facts also speak loud that all the in-laws have taken the deceased to hospital and thus it is not a case where the petitioner and others fled away from the scene of crime. It is lastly contended that the petitioner is a lady and she is in custody since 24.03.2024. That apart the investigation of the crime is complete.

5. On the other hand, learned counsel for the State opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is mother-in-law of the deceased coupled with the fact that omnibus nature of allegation have been levelled against all the family members: as also the period of custody, let the petitioner,



named above, 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 learned Judicial Magistrate 1st Class, Jamui in connection with Sono P.S. Case No. 107 of 2024, , subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this



purpose or in the name of verification.

7. The application stands allowed.

(Harish Kumar, J)

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