

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48172 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- PIPRA District- East Champaran

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Kaushalya Devi WIFE OF MADAN PANDIT Village- Gaure PS -Pipra
District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 07-08-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Pipra P.S. Case No. 34/2024 instituted under Sections 304(B), 34 of the Indian Penal Code lodged on 10.02.2024 by the informant, Rajendra Pandit.

3. As per the prosecution story, the informant alleged that his daughter was married to Jitendra Pandit in the year 2018 and two children were born out of the said wedlock but the family members including the husband were demanding dowry and information came about the killing. As they reached the place, the dead body was sent for post-mortem. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that she is mother-in-law, living separately, nothing to do with the



alleged occurrence and further, the husband, Jitendra Pandit is in judicial custody as per para-13 of the petition.

5. Learned APP opposes the prayer submitting that the allegation is against the accused persons.

6. Taking into account the fact that the petitioner is a lady, mother-in-law, living separately, the husband is in custody, this Court is inclined to extend her the privilege of anticipatory bail. If however, it is found that the statement regarding the husband is incorrect, the order shall become infructuous.

7. Let the petitioner be released on bail, in the event of her arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Pipra P.S. Case No. 34/2024 to the satisfaction of learned S.D.J.M., Sadar at Motihari East Champaran, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/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 co-operate in the investigation and make herself available to the police as and when required;

(iv) 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;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

(Rajiv Roy, J)

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