

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49400 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- GANDHIMAIDAN District- Patna

Sona Devi @ Sona Lal Pandit Wife of Late Hari Lal Pandit Resident of Hari Bhawan, 3rd floor, Behind Vikram Hotel, Exhibition Road, P.S.- Gandhi Maidan, District- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Giri, Advocate

For the State : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-08-2024 Heard Mr. Raju Giri, learned counsel for the petitioner and Mr. Yogendra Kumar Singh, APP.

2. The petitioner is apprehending her arrest in connection with Gandhi Maidan P.S. Case No. 07 of 2024 for the offence under Sections 306 and 34 of the I.P.C. lodged on 02.01.2024 by the informant, Sunidhi Lal Bhai.

3. As per the prosecution story, the informant alleged that she was married to the son of the petitioner herein and had two children aged fourteen years (daughter) and seven years (son). However, the arrival of the girl child was never accepted by the family inasmuch as she was not provided food or school fee and on the fateful day, which was a New Year day, she was assaulted. To save her, as the informant went there, found her daughter lying on the road. She was taken to the hospital and



declared dead. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that the petitioner is grandmother of the deceased. Further, learned counsel took this Court to paragraphs 8 and 9 of the petition and submits that contrary to the allegation made in the F.I.R, she was a student of St. Karens' High School, Patna and the family never made any difference between the son and the daughter. Due to some personal reason, the daughter herself took the extreme steps of leaving this world which has affected the entire family member but due to unknown reason, the informant chose to implicate them.

5. Learned APP opposes the prayer submitting that the allegation is there against this petitioner.

6. Considering the aforesaid submissions as also the facts that has been placed on record by Mr. Raju Giri, this petitioner is 62 years old, grandmother of the deceased and do not have criminal antecedent, this Court is inclined to extend her the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender 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 like amount each to the



satisfaction of learned Sub-Divisional Judicial Magistrate, Patna, in connection with Gandhi Maidan P.S. Case No. 07 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also with following 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 his bail bond by the Trial Court itself;

(iii) 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;

(iv) the petitioner 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)

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