

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51469 of 2024

Arising Out of PS. Case No.-126 Year-2024 Thana- GRIYAK District- Nalanda

SONA DEVI WIFE OF LATE ASHOK CHAUDHARY RESIDENT OF
VILLAGE - DURGAPUR, P.S. - GIRIYAK (PAWAPURI O.P.), DISTRICT -
NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar, Adv.

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-08-2024 Heard Mr. Sudhir Kumar, learned Counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Giriyak P.S. Case No. 126 of 2024 for the offence registered under sections 341, 323, 325, 307, 504, 498(A) and 34 of the IPC lodged on 13.04.2024 by the informant Tusi Devi.

3. As per the prosecution story, the informant who is the daughter-in-law of the informant alleged that she got married in December 2023 but was tortured for dowry and further on the fateful night, she was thrown from the roof causing fracture in her right leg. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that she is mother-in-law, an aged lady with age old diseases. The lady



while conversing on mobile fell on her own which has been given the colour of assault. Further, in any case, the widow stays away from the couple and the last submission is that as per the learned Sessions Judge order itself, the husband is in custody.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that within six months of the marriage, the alleged incident took place and the lady has suffered fracture in her leg.

6. Taking into account the submissions as also the fact that the husband is in custody, the petitioner is mother-in-law, living separately, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Nalanda at Bihar Sharif in connection with Giriyak P.S. Case No. 126 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official



document to show his *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 the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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