

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59928 of 2024

Arising Out of PS. Case No.-130 Year-2024 Thana- NARHATT District- Nawada

Sharda Devi Wife of Late Suresh Chaudhary @ Kamlesh Kumar R/o Village-
Pandey Bigha, P.S.- Narhat, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate
For the State : Mr. Raj Kishor Singh, APP
For the Informant : Mr. Bimal Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-09-2024 Heard Mr. Birendra Kumar, learned counsel for the

petitioner, Mr. Bimar Kumar, learned counsel appearing on

behalf of the informant as well as Mr. Raj Kishor Singh, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Narhat P.S. Case No.130 of 2024, F.I.R. dated
27.03.2024 for the offences punishable under Sections
304(B)/34 of the Indian Penal Code.

3. According to prosecution case, all the accused
persons including this petitioner have murdered the daughter of
the informant due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and she has falsely been



implicated in the present case merely on the ground that the petitioner is the mother-in-law of the deceased. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R and the allegation is also not supported by the medical evidence. He further submits that the husband of the deceased who happens to be the son of the petitioner has surrendered on 27.05.2024 and is languishing in jail since 27.05.2024.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R and apart from that the petitioner along with other family members have committed murder of the deceased.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Nawada in connection with Narhat



P.S. Case No. 130 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

- i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.
- ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
- iii. And further condition that 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 her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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