

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64239 of 2024

Arising Out of PS. Case No.-119 Year-2014 Thana- PALIGANJ District- Patna

Rekha Devi, aged about 30 years, female, wife of Ramadhar Yadav, resident of village- Pandeyachak, P.S.- Paliganj District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Kumar Suman, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 06-09-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Paliganj PS Case No.119 of 2014 dated 26.05.2014, instituted under Sections 304-B, 201, 120/B/34 of the Indian Penal Code.

3. The prosecution case, in short, is that marriage of the informant's sister was performed in the year 2008 with Ramadhar Yadav and after sometime of her marriage her husband, in laws and other accused started demanding dowry and used to assault her. It is also alleged that no child was born out of the wedlock and the husband of the informant's sister had performed second marriage. The informant got information that his sister has been killed and her dead body has been thrown in the river.



4. Learned counsel for the petitioner submits that the petitioner is the second wife of the husband of the deceased. There is no specific allegation against the petitioner, rather, the allegation is general and omnibus. It is further submitted that marriage of the informant's sister was performed in the year 2008 with Ramadhar Yadav. Petitioner is neither family members nor relative of the deceased. It is further submitted that the case is of the year 2014 but investigation is still going on. The main allegation is against the husband of the petitioner and no processes under Section 82-83 Cr.P.C. has been issued against the petitioner. Further submission is that husband of the deceased has already been granted bail. It is further submitted that one of the co-accused, Jawahir Yadav @ Jawaharlal Yadav, has been granted bail by this Court vide order dated 15.05.2024 passed in Cr. Misc. No.29494 of 2024. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of the learned
SDJM, Danapur, Patna, in Paliganj PS Case No.119 of 2014,
subject to the conditions laid down in Section 438(2) of the
Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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