

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64534 of 2024

Arising Out of PS. Case No.-122 Year-2024 Thana- RAJAPAKAR District- Vaishali

Lariya Devi @ Lali Devi Wife of Baleshwar Ray R/O-Village- Andhwara,
PS- Baranti Rajapakar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rupa Kumari, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-10-2024 Heard Ms. Rupa Kumari, learned counsel for the

petitioner and Mr. Madhura Nand Jha, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Rajapakar P.S. Case No. 122 of 2024, F.I.R. dated 11.04.2024 for the offences punishable under Sections 304(B), 201, 34 of IPC.

3. According to prosecution case, the petitioner along with other co-accused persons has killed the informant's daughter on non-fulfillment of the demand of dowry.

4. Learned counsel for the petitioner submits that petitioner is innocent and she has falsely been implicated in the present case merely on the ground that petitioner is mother-in-law of the deceased. He further submits that from a bare perusal



of the FIR it appears that there is no specific allegation of any assault or overt act or demand of dowry attributed against the petitioner rather general and omnibus allegation against all the accused persons including the petitioner. He further submits that husband of the deceased, who happens to be son of the petitioner, is already in judicial custody.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the FIR and apart from that the petitioner carries one more case other than the present one but fairly submits on the basis of the para-3 of the bail petition that the petitioner is on bail in the pending matter.

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 J.M. 1st, Class-cum-Additional Munsif-7th, Vaishali at Hajipur in connection with Rajapakar P.S. Case No. 122 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 his absence on two consecutive dates without sufficient reason, his 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 his 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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