

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.67541 of 2024**

Arising Out of PS. Case No.-145 Year-2024 Thana- IMAMGANJ District- Gaya

Nishu Devi @ Swet Nisha Kumari Daughter of Late Ajay Singh Wife of Late Ranjeet Singh, Resident of Village - Pipra, P.S.- Dumariya, District - Gaya (Bihar) At present Residing at Mohallah - Tilewara, P.S.- Khapar Kheda, District - Nagpur (Maharashtra).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Uday Kumar, Advocate  
For the Opposite Party/s : Mr. Dinesh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      03-10-2024                      Heard Mr. Uday Kumar, the learned counsel for the petitioner and Mr. Dinesh Singh, the learned Additional Public Prosecutor for the State.

2.              The petitioner is apprehending her arrest in connection with Imamganj PS Case No. 145 of 2024, FIR dated 16.05.2024, registered for the offence punishable under Section 304(B) read with Section 34 of the Indian Penal Code.

3.              According to the prosecution case, the daughter of informant was subjected to torture and harassment by her in-laws over non-fulfillment of dowry demand. It is further alleged that informant received a call from her daughter that her (informant's daughter) husband and sister-in-law are conspiring to murder her and while the informant was on her way to her daughter's matrimonial home, she received information that her daughter has committed suicide by hanging herself.



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 she is married sister-in-law of the deceased. He further submits that the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR, in fact, the petitioner is living at Nagpur with her son and she has no concern at all with the alleged occurrence. He lastly submits that upon perusal of the FIR, it appears that there is no specific allegation against the petitioner, rather there is general and omnibus allegation against all the co-accused person including the petitioner.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and mainly the facts that petitioner has clean antecedent and there is no specific allegation against the petitioner, let the petitioner, above-named, in the event of her arrest or surrender before the learned trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory 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 1<sup>st</sup> Class, Sherghati, Gaya, where the case is pending in connection with **Imamganj PS Case No. 145 of 2024**, subject to



the conditions as laid down under Section 438(2) of the Cr.P.C.  
and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the learned trial Court.

(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 learned trial Court 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 learned trial Court 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)**

Shahnawaz/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

