

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66349 of 2023

Arising Out of PS. Case No.-75 Year-2022 Thana- DARIYAPUR District- Saran

SUNITA DEVI WIFE OF DINESH RAI @ DINESH KUMAR RAY
VILLAGE- DARIHARA CHATURBHUI, PS- DARIYAPUR, DIST-
SARAN, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Abhigyan, Adv.

For the Opposite Party/s : Mr.Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 10-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Dariyapur P.S. Case No. 75 of 2022 registered for the offences
punishable under Sections 304(B), 201, 120(B) of the Indian
Penal Code.

3. As per prosecution case, petitioner and others
are said to have committed the murder of informant's daughter
for non fulfillment of dowry and the dead body has been made
disappeared.

4. Learned counsel for the petitioner submits that
petitioner is sister-in-law of the deceased and has been living
separately from the family of the deceased. She has no say in



the family affairs of the deceased. She further submits that there is no specific allegation attributed against the petitioner rather the allegation is general and omnibus in nature. Petitioner is in custody since 18.07.2023 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Petitioner is quite innocent and has committed no offence as alleged against him in F.I.R. and she has falsely been implicated in the present case.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Chappra in connection with Dariyapur P.S. Case No. 75 of 2022, subject to following conditions:-



(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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