

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68359 of 2023

Arising Out of PS. Case No.-161 Year-2022 Thana- TARAIYA District- Saran

Girja Devi Wife Of Hawaldar Pandit Resident Of Village- Sitalpur, P.S.-
Taraiya, District- Saran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar, Adv.

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 29-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Counsel for the petitioner submits that during pendency of the present bail application, certain relevant took place which is necessary to brought on record for which he has filed already online by way of supplementary affidavit and he requests to accept the hard copy of the supplementary affidavit in the Court itself.

3. Permission granted.

4. The petitioner seeks regular bail in connection with Taraiya P.S. Case No.161 of 2022 lodged under Sections 302, 304B, 201 and 34 of the I.P.C.

5. As per the prosecution case, there is an allegation of section 302 and 304B of the I.P.C. and deceased is the daughter-



in-law of the petitioner. The allegation is that all the accused persons have used to torture the informant's daughter and subsequently burnt his daughter due to which the present case has been filed.

6. Learned counsel for the petitioner submits that petitioner is mother-in-law and she is in custody since 06.05.2023 having clean antecedent.

7. Counsel further submits that the case has been filed with general and omnibus allegation and marriage was solemnized 9 years back. He submits that the petitioner is an old aged lady suffering from several diseases and due to illness, she is advised to take bed rest. Plea has also been made by the counsel for the petitioner that she is residing with the son namely, Bhagwan Pandit and not with her husband.

8. Counsel further submits that during pendency of the present application, the husband of the petitioner died due to which she has filed an application before the trial court to participate in the shradh ceremony due to which the trial court has granted provisional bail to the petitioner which was valid upto 16.03.2024, but in the meantime, the case of the petitioner has been listed before this Hon'ble Court and today hearing is going on.



9. Learned counsel for the State opposes the prayer for bail.

10. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Taraiya P.S. Case No.161 of 2022, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

11. It is made clear to the trial court that the petitioner shall appear before the Court on 17.03.2024 in compliance of the provisional bail, and thereafter, she shall not be sent into custody rather the court is directed to accept her bail bond in the court itself and released her and do the needful providing intimation to the jail authorities in this regard.

(Dr. Anshuman, J.)

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