

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68800 of 2024

Arising Out of PS. Case No.-567 Year-2023 Thana- BIHPUR District- Bhagalpur

Shakuntala Devi wife of Late Kokil Mandal Village- Narayanpur Navtoliya,
P.S.- (Bihpur) Bhawanipur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-10-2024 Heard Ms. Shweta Barnwal, learned counsel for the
petitioner and Mr. Bharat Bhushan, learned APP for the State.

2. The petitioner is in custody in connection with
Bihpur (Bhawanipur) P.S. Case No. 567 of 2023 for the offence
under Sections 302, 120(B) and 201 of the Indian Penal Code
lodged on 12.09.2023 by the informant, Balram Kumar Rai.

3. As per the prosecution story, the informant alleged
that the victim lady was married to the family of the petitioner
who is the mother-in-law but was always tortured for dowry.
Further, due to the husband having illicit relationship, she was
forced to leave secluded life and finally, they got information
about her death and the body was in a decomposed position
when it was taken out by the police. Accordingly, the FIR.

4. Earlier, the anticipatory bail application of the



petitioner was rejected on the ground that process under Section 82 of the Cr.P.C. was initiated by the Court. The said order was passed in Cr. Misc. No. 19641 of 2024 on 19.07.2024 with an observation to surrender within four weeks.

5. The case of the petitioner is that she diligently surrendered on 05.08.2024 and sought bail which was rejected whereafter the present petition.

6. Learned APP opposes the prayer.

7. The petitioner is the mother-in-law, a lady, sixty five years of age, do not have criminal antecedent and others have already been extended the privilege of bail, this Court is inclined to extend her the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM-1st, Naugachia, Bhagalpur, in connection with Bihpur (Bhawnaipur) P.S. Case No. 567 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

9. Before parting, this Court would like to put on record its word of appreciation for Ms. Shweta Barnwal for the assistance rendered to the Court.

(Rajiv Roy, J)

Adnan/-

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