

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74498 of 2023**

Arising Out of PS. Case No.-166 Year-2022 Thana- SAHAR District-
Bhojpur

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PYARO KUWAR Wife of Shivaasare Chaudhari @ Shiv Chandra Chaudhari
R/o vill - Gondiha, P.s. - Sahar, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Adv.

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 05-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehend his arrest in connection with Sadar P.S. Case No. 166 of 2022 registered for the offence under Sections 304(B) of the Indian Penal Code lodged on 17.07.2022 by the informant, Jitendra Kumar Singh.

3. As per the prosecution story, the informant alleged that his sister was married to Jai Prakash Singh but was always tortured for dowry and on the fateful day, he got an unfortunate message about her death as he went there found the dead body and a theory was put forward to him that she died due to electric shock. Not satisfied, the instant F.I.R. has been registered.

4. Learned counsel for the petitioner submits that the petitioner is aged mother-in-law, no role to play, living separately



and she is ready to face the trial.

5. Learned A.P.P. for the State opposes the prayer stating that there is allegation against the family members of the husband of the deceased.

6. Taking into account the fact that the petitioner's son married the lady and failed to take responsibility, she is an aged lady having no criminal antecedent and is mother-in-law of the deceased, this Court is inclined to extend her privilege of anticipatory bail.

8. Let the petitioner, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of Chief Judicial Magistrate, Bhojpur at Ara in connection with Sahar P.S. Case No. 166 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his 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 his bail bond by the Trial court itself;



(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) 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;

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

(Rajiv Roy, J)

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