

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74386 of 2024

Arising Out of PS. Case No.-174 Year-2024 Thana- VAISHALI District- Vaishali

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SHANTI DEVI W/o- SATENDRA SAHANI VILL- JARANGI, P.S.
VAISHALI, BELSOR OP, DISTRICT- VAISHALI Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Sabina Talat, Advocate
Mr. Nafisu Zzoha, Advocate.
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-10-2024 Heard Ms. Sabina Talat, learned counsel for the

petitioner and the State.

2. The petitioner is in judicial custody in connection with Vaishali (Belsor O.P) P.S. Case No. 174 of 2024 for the offences punishable under Sections 304(B), 201/34 of the Indian Penal Code lodged on 17.05.2024 by the informant, Shobha Devi.

3. As per the prosecution story, the informant alleged that marriage of her daughter was solemnized with Guddu Kumar in the year 2018, but was always tortured for dowry and further on the fateful day, got the information that she has been killed. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that contrary to the allegation made, there was no such demand, in any case, she being the mother-in-law used to live separately.



The fact remains that they had participated in the funeral but later lodged the FIR. The last submission is that the husband is in custody (para-12 of the petition).

5. Learned APP opposes the prayer submitting that she being the mother-in-law cannot be exonerated of the charges.

6. Though allegation is there, the fact remains that she is a lady, mother-in-law, husband is in custody, she is in custody since 20.05.2024 (para-16 of the petition), it has been undertaken that she will be appearing in the trial, this Court is inclined to extend her the privilege of bail.

7. Let the petitioner, above named, 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 Judicial Magistrate-1st Class, Vaishali at Hajipur in connection with aforesaid P.S. Case, subject to the following conditions:

(i) one of the bailors 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 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.

(Rajiv Roy, J)

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