

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74165 of 2024**

Arising Out of PS. Case No.-392 Year-2023 Thana- GOPALPUR District- Bhagalpur

Kiran Devi W/o Nanku Sharma R/o vill - Bari Makandpur, P.s- Gopalpur,  
Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      18-10-2024                      Heard Mr. Rajesh Kumar, learned counsel for the  
  
petitioner and Mr. Rabindra Kumar, learned Additional Public  
  
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
09.08.2024 in connection with S.T. No. 925 of 2023 arising out  
of Gopalpur P.S. Case No. 392 of 2023, F.I.R. dated 11.08.2023  
for the offences punishable under Sections 304(B)/34 of the  
Indian Penal Code.

3. According to prosecution case, all the accused  
persons including this petitioner have killed the sister of the  
informant due to non-fulfillment of demand of Rs. 1 lakh.

4. Learned counsel for the petitioner submits that  
petitioner has clean antecedent and she has falsely been  
implicated in the present case merely on the ground that she is



sister-in-law of the deceased. He further submits that it appears from the F.I.R there is no specific allegation of assault or demand of dowry against this petitioner rather there is general and omnibus allegation against all the accused persons including this petitioner. He further submits that similarly situated, co-accused, namely, Nanku Sharma and Jyotish Sharma @ Jyotish have been granted anticipatory bail by this Court vide order dated 21.08.2024 passed in Cr. Misc. No. 52482 of 2024. He further submits that the co-accused who also happens to be the husband of the deceased namely, Vijay Sharma has been acquitted by the learned Additional District & Sessions Judge passed in S.T. No. 925 of 2023 vide order dated 01.05.2024. The petitioner is in custody since 09.08.2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge 1<sup>st</sup>, Naugachia, Bhagalpur in connection with S.T. No. 925 of 2023 arising out of Gopalpur P.S. Case No. 392 of 2023, subject to the following conditions:-



i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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