

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77442 of 2024

Arising Out of PS. Case No.-148 Year-2024 Thana- GOPALPUR District- Bhagalpur

Sarita Devi @ Savita Devi Wife of Koko Singh Vill.- Kaluchak
(Kalindinagar), P.S.- Gopalpur, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-10-2024 Heard Mr. Rajesh Kumar, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection with Gopalpur P.S. Case No. 148 of 2024 for the offences punishable under Sections 304(B)/34 of the IPC, lodged on 08.05.2024 by the informant, Govind Kumar.

3. As per the prosecution story, the informant alleged that his sister was married to Ritesh Kumar and the couple was blessed with two children but was always tortured for dowry. On the fateful day, information came about her assault and further her dead body was found hanging at her in-law's house. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that she being the mother-in-law, living separately and had no role to



play in the matter. The husband is already in custody since 07.06.2024 (para-14 of the petition).

5. Learned APP opposes the prayer submitting that there is allegation of dowry demand followed by the death.

6. Taking into account the aforesaid submission of the parties as also the fact that the petitioner is mother-in-law, husband is already in custody and the petitioner has remained in custody since 06.06.2024 (para-19 of the petition), has no criminal antecedent, 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 Additional Chief Judicial Magistrate- 3rd Naugachia, Bhagalpur 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/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.

(Rajiv Roy, J)

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