

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76259 of 2024

Arising Out of PS. Case No.-88 Year-2024 Thana- PATKHAULI District- West Champaran

Sharda Devi W/o- Late Suraj Ram Vill- Patkhauli Ward No. 2 PS- Patkhauli
District- West champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-10-2024 Heard Mr. Bimlesh Kumar Pandey, learned counsel
for the petitioner and the State.

2. The petitioner is in judicial custody in connection with Patkhauli P.S. Case No. 88 of 2024 for the offences punishable under Sections 304(B), 506/34 of the IPC, lodged on 30.06.2024 by the informant, Lal Sah Devi.

3. As per the prosecution story, the informant alleged that her daughter was married to Ranjan Ram in the year 2023 but was always tortured for dowry. On the fateful day, (30.06.2024) information came about her killing. 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. However, only to implicate, all the family members have been made accused in the FIR. She has already suffered by



being in custody since 01.07.2024 (para-12 of the petition). The last submission is that the husband of the deceased has surrendered on 13.08.2024 and since then he is in custody.

5. Learned APP opposes the prayer submitting that allegation is against all the accused persons.

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 01.07.2024, 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-1st, Bagaha, West Champaran, 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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