

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82183 of 2024

Arising Out of PS. Case No.-131 Year-2023 Thana- SHEOHAR District- Sheohar

Atwari Devi W/O Nathuni Ray R/O Village- Shheohar, Ward No.20, P.S-
Sheohar, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate
For the State : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-12-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Sheohar P.S. Case No. 131 of 2023 for the offences punishable under Sections 302, 304(B) and 34 of the Indian Penal Code, lodged on 11.06.2023 by the informant, Mohini Devi.

3. As per the prosecution story, the informant alleged that the victim girl was married to Santosh Ray but was always tortured for dowry and on the fateful day, came to know about her killing which led to the F.I.R. and the arrest.

4. Learned counsel for the petitioner submits that she being mother-in-law, is an aged person, living separately but in in custody since 13.06.2023 (paragraph no.7 of the petition) immediately after the occurrence. Further comment is that the



husband is also in custody.

5. Learned APP for the State opposes the prayer submitting that she has been named by the informant.

6. Considering the submissions put forward by the parties as also that the allegation is there, the lady died, the same is unfortunate, the husband is in custody, this petitioner is in custody since 13.06.2023, F.I.R. lodged, will have to face the music, is seventy years old, in that background, this Court is inclined to extend her the privilege of bail.

7. Let the petitioner 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 Chief Judicial Magistrate, Sheohar in connection with Sheohar P.S. Case No. 131 of 2023, subject to the following conditions:

(i) one of the bailor should be the family member/relative 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 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 now 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 bail bonds.

(Rajiv Roy, J)

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