

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84843 of 2024

Arising Out of PS. Case No.-215 Year-2024 Thana- AMAS District- Gaya

Bechani Devi W/o Rajdeo Chaudhary R/o Village- Banahi, P.S.- Amas,
District- Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Amas P.S. Case No. 215 of 2024 registered for the alleged offences under Sections 80, 61(2), 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the daughter of the informant was married with co-accused Mukesh Chaudhary in the year 2018 and there are two children from their wedlock. Allegation against the petitioner, who is the mother-in-law of the deceased daughter of the informant and other co-accused persons, is that they killed the daughter of the informant on non-fulfillment of their demand of a vehicle and ring.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. During investigation, a number of persons stated before the police that the deceased was a quarrelsome lady and she often used to threaten to implicate the entire family members in a false case. Learned counsel further submits that the deceased used to reside in her parental house for long period and on the alleged date of occurrence, she returned with her husband and consumed poison. The Investigating Officer of the case found packet of the poison and its solution in a plastic glass with stained earth. The postmortem report shows there was no external injury on any part of body of the deceased. Viscera was preserved and sent for chemical examination. The husband of the deceased is in jail and investigation against the other persons is going on. Charge-sheet has been submitted. The petitioner is in custody since 13.07.2024. The petitioner is having antecedent of one case.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that the petition is the mother-in-law of the deceased and there is allegation of demanding vehicle and ring against her.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering no



apparent cause of death and preservation of viscera to ascertain the cause of death and also considering the relationship of the petitioner with the deceased and the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Sherghati, Gaya in connection with Amas P.S. Case No. 215 of 2024, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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