

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1817 of 2024

Arising Out of PS. Case No.-78 Year-2023 Thana- KARAI PARSURAI District- Nalanda

Kanti Devi W/O Jabindra Yadav R/O Village- Berthu, P.S- Karai Parsurai,
Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-01-2024 Heard Mr.Rajeev Kumar, learned counsel for the

petitioner and Mr.Chandra Bhushan Prasad, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Karai Pasurai P.S.Case No.78 of 2023,FIR dated 17.07.2023 registered for the offences punishable under Sections 304B/34 of IPC.

3. Allegation against the petitioner is that she alongwith other co-accused persons have in furtherance of their common intention committed the dowry death of the sister of the informant.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. She has falsely been implicated in the present case on the ground that the petitioner is sister-in-



law of the deceased. Further submits that from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and the husband of the deceased is in judicial custody.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 learned Addl. Chief Judicial Magistrate, Hilsa, Nalanda in connection with Karai Pasurai P.S.Case No.78 of 2023,subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 his/her absence on two consecutive dates without sufficient reason, his/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 his/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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