

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3320 of 2024

Arising Out of PS. Case No.-130 Year-2023 Thana- SIKARHATTA District- Bhojpur

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Madhu Devi W/o RAJU SINGH @RAJU KUMAR R/V PANWARI P.S
SIKARHATA DIST BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Mishra, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 09-04-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Sikrahata P.S. Case No. 130 of 2023 instituted under Sections 304(B)/34 of the Indian Penal Code lodged on 12.10.2023 by the informant, Jitendra Kumar.

3. As per the prosecution story, the informant alleged that his sister was married to Dipak Kumar but was tortured for dowry and within couple of months, she was killed. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that she is mother-in-law, has no role to play in the matter. It was a dispute between the couple and the last submission with the help of para-8 is that the husband, Dipak Kumar is in custody.

5. Learned APP opposes the prayer.



6. Taking into account the aforesaid fact that the husband is in custody, she is mother-in-law, do not have criminal antecedent and will have to face the trial, this Court is inclined to extend her privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of her arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Sikrahata P.S. Case No. 130 of 2023 to the satisfaction of learned ACJM-IV, Bhojpur, Ara subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor 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 co-operate in the investigation and make herself available to the police as and when required;

(iv) 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;

(v) 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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