

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3813 of 2025**

Arising Out of PS. Case No.-227 Year-2021 Thana- JAMALPUR District- Munger

Kamla Devi W/o- Kahar Malik R/o - Jhapaani, Khawa Rajpur, P.S -
Mednichaski, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate
For the Opposite Party/s : Md. Aslam Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 31-01-2025 Heard Mr. Pankaj Kumar, learned counsel for the

petitioner and Md. Aslam Ansari, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Jamalpur P.S. Case No. 227 of 2021, F.I.R. dated 01.12.2021 for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including this petitioner have tortured the daughter of the informant due to non-fulfillment of demand of dowry which resulted into her death.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case merely on the ground that she is



mother-in-law of the deceased. He further submits that from perusal of the F.I.R it appears that there is general and omnibus allegation all the accused persons including this petitioner and it is also evident from the F.I.R itself that the victim has died at her parent's house due to complete negligence on the part of the informant and the informant has filed the present case only to harass the petitioner and her family members.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and the victim has died at her parent's house, let the petitioner, above named, in the event of 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 the learned Additional Sessions Judge 3rd Munger in connection with Jamalpur P.S. Case No. 227 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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 absence on two consecutive dates without sufficient reason, his 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 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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