

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5649 of 2025

Arising Out of PS. Case No.-157 Year-2024 Thana- KADIRGANJ District- Patna

Meena Devi W/O Upendra Prasad R/O Village- Piparpanti, P.S.- Kadirganj,
District- Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-02-2025 Heard Mr. Bhola Kumar, learned counsel for the
petitioner and Mr. Shahabuddin Azeem @ S. Azeem, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Kadirganj P.S. Case No. 157 of 2024, F.I.R. dated 08.10.2024 for the offences punishable under Sections 80(2) and 3(5) of th B.N.S., 2023.

3. According to prosecution case, petitioner and other co-accused persons have killed the sister of the informant on non-fulfillment of the demand of dowry.

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 a bare perusal of the FIR it appears that there is no specific



allegation of any assault or overt act or demand of dowry is attributed against the petitioner rather general and omnibus allegation against all the accused persons including the petitioners. He further submits that the son of the petitioner who is husband of the deceased is already in judicial custody since 01.11.2024.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts that the petitioner has clean antecedent and there is no specific allegation of any assault or overt act or demand of dowry attributed against the petitioner and husband of the deceased is already in judicial custody, 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 A.C.J.M., Masaurhi, Patna in connection with Kadirganj P.S. Case No. 157 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of B.N.S.S. 2023 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 her absence on two consecutive dates without sufficient reason, 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 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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