

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19592 of 2025

Arising Out of PS. Case No.-449 Year-2023 Thana- RAXAUL District- East Champaran

Sona Devi S/O Late Saroj Mahto R/O Vill.- Dhangar Toli Mansa Mai, Sthan
Raxaul, P.S.- Raxaul, Dist.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Raxaul P.S. Case No. 449 of 2023 registered for the offences
punishable under Sections 304(B) and 34 of the Indian Penal
Code, 1860.

3. As per prosecution case, petitioner and others
are said to have committed the murder of informant's daughter
by strangulating her neck for non fulfillment of demand of
dowry.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has committed no offence as
alleged in the FIR. He further submits that no specific overt-act
is attributed against the petitioner. He further submits that the



allegation levelled against the petitioner is general and omnibus in nature. Petitioner has no say in the family affairs of the deceased and her husband. He further submits that informant's daughter and her husband are living separately from the other family members including the petitioner. Petitioner bears no criminal antecedent. Learned counsel orally submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that co-accused namely Luvkush Mahto @ Luvkush Dhangar, Ratan Dhangar @ Ratan Mahto and Bindu Devi @ Bindi Devi have already been granted anticipatory bail by the Co-ordinate Bench of this Court vide Cr. Misc. No. 15994 of 2024 and the case of the present petitioner stands on better footing as she is in custody since 01.12.2024.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, co-accused have already been granted anticipatory bail by the Co-ordinate Bench of this Court, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be



released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Raxaul, Motihari, East Champaran in connection with Raxaul P.S. Case No. 449 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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