

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33692 of 2025

Arising out of PS. Case No.-133 Year-2024 Thana- SURYAPURA District- Rohtas

Lilavati Devi S/o Gorakh Singh R/o Village- Kawai, P.S.- Suryapura, District-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Upadhyay, Advocate
For the Opposite Party/s: Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 28-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Surya-
pura P.S. Case No. 133 of 2024 (S.Tr. No. 631 of 2024) insti-
tuted for the offences under Sections 304B and 120B/34 of the
Indian Penal Code and Sections 3/4 of D.P. Act. He has no crim-
inal antecedent.

3. As per the FIR, the marriage of the sister of the in-
formant was solemnized with one Krishna Kumar and it was al-
leged that the petitioner and other co-accused persons were de-
manding dowry and on non-fulfillment of the same the peti-
tioner along with the co-accused persons killed the informant's
sister by strangulating her.

4. Learned counsel for the petitioner submits that the



petitioner happens to be the mother-in-law and has falsely been implicated in this case. Learned counsel for the petitioner further submits that even from the perusal of the FIR it is evident that there is no specific allegation of overt act alleged against the petitioner. It is also submitted by learned counsel for the petitioner that the trial has commenced and the informant along with others have been examined as prosecution witnesses 1, 2 and 3 and the deposition of all the three witnesses which is on record clearly depicts that they have not supported the prosecution case and otherwise deposed that the case was lodged on an error of fact. It is lastly submitted that the petitioner has no criminal antecedent and is in custody since 11.09.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that petitioner along with others have strangled the sister of the informant resulting her death.

6. Considering the aforesaid submissions of learned counsel and taking into account the deposition of the prosecution witnesses and the fact that the petitioner has clean antecedent and is in custody since 11.09.2024, the petitioner above named, is directed to 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 the learned 13th Additional Sessions Judge, Rohtas at Sasaram in connection with Suryapura P.S. Case No. 133 of 2024 (S.Tr. No. 631 of 2024), subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) 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 de-



layed for purpose of the same or in the name of
verification.

(Sourendra Pandey, J)

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