

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90361 of 2024

Arising Out of PS. Case No.-950 Year-2023 Thana- BARACHATTI District- Gaya

Urmila Devi W/O Manoj Saw Resident of village- Rajaundha PS- Mohanpur
District- Gaya Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-04-2025 Heard Mr. Kumar Nikhil, learned counsel for the

petitioner and Mr. Syed Ehteshamuddin, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Barachatti (Mohanpur) P.S. Case No. 950 of 2023, F.I.R. dated 26.10.2023 for the offences punishable under Sections 341, 323, 304(b)/34 of the Indian Penal Code.

3. As per the First Information Report, on 24.10.2023, the informant was informed that her daughter has consumed poison. When he went to the matrimonial house of her daughter, he found the dead body of his daughter and other family members were absconding. It is further alleged that her daughter was subjected to torture and harassment by the petitioner and other accused persons due to non-fulfillment of 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 the mother-in-law of the deceased. It appears from the FIR that although five persons have been made accused in the FIR but there is no specific allegation of assault or overt act or demand of dowry against the accused persons including the petitioner and apart from the husband of the deceased, namely, Ramchandra Sao @ Tuntun Sao is in judicial custody since 02.12.2024.

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

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and there is no specific allegation of assault against the petitioner and husband of the deceased is in custody since 02.12.2024, 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-IIInd, Sherghatti, (Gaya) in connection with Barachatti (Mohanpur) P.S. Case No. 950 of 2023, 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 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 bond 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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