

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89215 of 2024

Arising Out of PS. Case No.-27 Year-2017 Thana- ISHUPUR BARAHAT District- Bhagalpur

Sumitra Devi W/O Jai Gopal Mandal @ Jay Gopal Mandal R/O Village-
Vishal, P.S.- Ishipur Barahat, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-01-2025 Heard Mr. Devendra Kumar Pandey, learned counsel
for the petitioner and Mrs. Renu Kumari, learned APP for the
State.

2. Petitioner seeks bail, who is in custody since
21.11.2023, in connection with Sessions Trial No. 158 of 2024
arising out of Ishipur (Barahat) P.S. Case No. 27 of 2017, F.I.R.
dated 08.05.2017 registered for the offences punishable under
Sections 328, 304(B), 34 of the Indian Penal Code.

3. Allegation against the petitioner is that she has
committed dowry death to administer poison to her daughter-in-
law.

4. Earlier the bail petition of the petitioner was
rejected vide order dated 26.04.2024 passed in Cr. Misc. No.
18033 of 2024.



5. Learned counsel for the petitioner submits that the petitioner has clean antecedent and she has been falsely implicated in the present case. In fact, the petitioner is the mother-in-law of the deceased and from perusal of the F.I.R. it appears that there is no specific allegation against the petitioner in the F.I.R. and husband of the deceased who happens to be the son of the petitioner namely Sunil Kumar Mandal is in judicial custody and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 21.11.2023.

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

7. Considering the facts and circumstances of the case, 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 District and Additional Sessions Judge-X, Bhagalpur in connection with Sessions Trial No. 158 of 2024 arising out of Ishipur (Barahat) P.S. Case No. 27 of 2017, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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