

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51547 of 2024

Arising Out of PS. Case No.-91 Year-2024 Thana- BASOPATTI District- Madhubani

Leela Devi Wife of Pramod Mandal Resident of Vill- Hatthapur Parsa, P.S.-
Basopatti, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 27-09-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 304(B), 201 and 120(B) of
the Indian Penal Code.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.
4. The informant alleges that her daughter was
married to Rahul Kumar about one year ago and after marriage
dowry of Rs.50,000/- was being demanded. It is further alleged
that her daughter disclosed that on account of non-fulfillment of
the demand, petitioner and her father-in-law used to assault her.
It is next alleged that on 16.05.2024 at 08:00 p.m. she was
informed that her daughter has been killed by the named
accused persons including two unknown by strangulating her



and the dead body has been concealed.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case being the mother-in-law of the deceased. It is further submitted that petitioner is in custody since 18.05.2024. It is next submitted that no doubt, the daughter of the informant died but then petitioner has no role in the said occurrence. It is also submitted that the informant is not an eyewitness to the occurrence and the entire allegation hinges around suspicion. It is further submitted that from perusal of the FIR, it would manifest that the informant alleges that on 16.05.2024 at 08:00 p.m. she came to know that her daughter has been killed by the named accused persons but then she does not name the petitioner. It is next submitted that the deceased was having dispute with her son on account of which she committed suicide. It is also submitted that whenever any occurrence in the nature as alleged takes place the entire family members are implicated in a mechanical manner with general, omnibus and ornamental allegation.

6. Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that merely because petitioner is mother-in-law of the deceased that in itself does not entitle her to seek regular bail on the ground



that husband of the deceased is in custody. It is further submitted that from perusal of the order impugned, it would manifest that the same records that after arrest of the petitioner, her confessional statement was recorded in which she disclosed about the dead body, thereafter the dead body of the deceased was recovered. It is next submitted that Section 27 of the Evidence Act becomes relevant in the case for the reason that the dead body was recovered in pursuance of the confession made by the petitioner as such her culpability in the occurrence cannot be ruled out.

7. Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to release the petitioner on bail in connection with Basopatti P.S. Case No. 91 of 2024 pending in the Court of learned Judicial Magistrate, 1st Class, Madhubani/Successor Court.

8. Hence, the prayer for bail is rejected.

(Satyavrat Verma, J)

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