

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84994 of 2024

Arising Out of PS. Case No.-526 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Kiran Devi Wife of Ravindra Thakur Resident of Village- Saidpur Laguniya,
P.S.- Patori, Dist.- Samastipur, At Present R/O Mohalla- Nandlal Nagar, Dighi
Kala, Hajipur, P.S.- Hajipur Sadar, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kishore Thakur, Advocate Mr. Subodh Kumar, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP
For the Informant	:	Mr. Himanshu Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 20-12-2024 Heard Mr. Surendra Kishore Thakur, learned

Advocate for the petitioner and learned APP for the State. The

informant is represented through Mr. Himanshu Ranjan, learned

Advocate

2. The petitioner seeks regular bail, who is in custody
in connection Hajipur Sadar P.S. Case No. 526 of 2024
registered for the offences punishable under Sections 80(2) and
3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. Allegedly the marriage of the daughter of the
informant was solemnized with the son of the petitioner on
02.05.2022. Soon after the marriage, she was subjected to
demand of dowry of Rs. 25,00,000/-. However, on account of



non-fulfillment of the same, she was tortured in various ways and finally done to death on 29.07.2024.

4. Learned Advocate for the petitioner referring to the F.I.R. primarily contended that there is no specific allegation against the petitioner, who happens to be the mother-in-law of the deceased. In fact, on the fateful day on account of some trifle, both the husband and wife entered into a scuffle and thereafter the deceased committed suicide. The good relationship between the parties also fortified for the simple reason that the couple blessed with a child, aged about one year. It is the contention of the petitioner that she had no concern with the affairs of the deceased and her husband. Moreover, the post-mortem report of the deceased was also conducted wherein no external injury was found and the cause of death has been shown to be asphyxia may be due to hanging, caused by ligature flexible substance. On being found no specific reason for death, the viscera has been sent to the Forensic Science Laboratory. Taking note of the aforesaid facts, co-accused persons, namely, Ravindra Thakur and Ashutosh Kumar @ Golu Kumar, who happens to be the father-in-law and brother-in-law of the deceased, have been accorded the privilege of anticipatory bail by this Court in Cr. Misc. No. 81932 of 2024 vide order dated



11.12.2024. The petitioner is a lady, who has been incarcerated since 30.07.2024.

5. On the other hand, learned APP for the State as well as informant vehemently oppose the bail application and submit that death has taken place within the premise of the house where the deceased was residing with the petitioner that too in two years and soon before the death there was demand of dowry and, as such, presumption of dowry death cannot be ruled out.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the post-mortem report, coupled with the fact that the case of the petitioner is based on parity and the petitioner happens to be the mother-in-law of the deceased, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur (Sadar) P.S. Case No. 526 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.



(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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