

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3785 of 2025

Arising Out of PS. Case No.-101 Year-2024 Thana- BALIYA District- Begusarai

Sonia Devi @ Samia Devi @ Soniya Devi W/O Akildev Sah R/O Vill.- Ward
No 10, Bari Ballia, Siraja, P.S- Barki Ballia, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vinod Kumar Seth, Adv
		Mr. Arvind Kumar, Adv
For the State	:	Mr.Nand Kumar,APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 05-08-2025 Heard learned counsel for the petitioner and learned
counsel for the informant and learned APP for the State.

2. Petitioner apprehends her arrest in a case registered
for the offences punishable under sections 304(B),34 of the
Indian Penal Code and section 3/4 of the Dowry Prohibition Act.

3. The allegation in the FIR is that the sister of the
informant was done to death by the accused persons named in
the FIR on account of non fulfillment of dowry.

4. Learned counsel for the petitioner submits at the
outset that the petitioner is an old mother-in-law and she was
not present at the place of occurrence as would appear from the
statement of witnesses collected during the course of
investigation. It has been submitted that there are general and



omnibus allegations in the FIR and as a matter of fact, the petitioner has committed suicide and this fact finds support from the post mortem report (Annexure-P-2) which shows that the death was caused due to asphyxia due to hanging and no external injury has been found on the body. It is further submitted that the age of the petitioner is about 70 years and the Adhar card of the petitioner has been brought on record showing her age around 70 years. It is submitted that she is not a position to attend to her daily chores and hence, there is no question of her being involved in causing death of the deceased. Further, as per the statements of the witnesses examined during the course of investigation, it would appear that the deceased had hung herself, whereafter, an alarm was raised.

5. The learned counsel for the informant and the learned APP however oppose the prayer for bail.

6. Considering all the above mentioned facts and circumstances and also considering the fact that the petitioner is an old lady of about 70 years of age, let the petitioner, in the event of her arrest/ surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the



case is pending/ successor court in Ballia P.S. Case no. 101 of 2024, subject to condition as laid down under section 438(2) of the Cr.PC and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

7. However, the learned court below before accepting the bail bonds would verify the age of the petitioner, which should not vary too much from what has been stated here and be somewhat close to the age mentioned here.

(Soni Shrivastava, J)

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