

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4769 of 2025

Arising Out of PS. Case No.-88 Year-2024 Thana- ALAMNAGAR District- Madhepura

1. Anita Devi, Wife of Dukha Mandal @ Dukh Mandal, Resident of village - Shivrampur, Tola - Chandansara (Chandrasara), Ward No.- 03, P.S.- Alamnagar, District - Madhepura.
2. Puja Devi, Daughter of Dukha Mandal @ Dukh Mandal, W/o Subodh Mandal, Resident of village - Shivrampur Tola Chandansara (Chanrasara), Ward No.- 3, P.S.- Alamnagar, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 31-01-2025 Heard learned Advocate appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State.

2. The application for grant of bail to the petitioners who are in custody in connection with Alamnagar P.S. Case No. 88 of 2024 registered for the offence punishable under Sections 302, 304(B) and 34 of the Indian Penal Code.

3. Allegedly the marriage of the daughter of the informant was solemnized with the son of the petitioner no. 1 in the year 2022. Soon after the marriage, the victim was subjected to demand of dowry and on account of non-fulfillment of the same, she was done to death by all the family members



including the petitioners.

4. Learned Advocate appearing on behalf of the petitioners contended that the petitioners are none else, but the mother-in-law and sister-in-law of the deceased, respectively. There is no specific allegation against the petitioners, rather an omnibus allegation has been levelled against all the family members. It is the contention of the petitioners that both the petitioners have been residing separately and they have never interfered with the day to day life of the deceased and her husband. There is no eye witness to the alleged occurrence and the entire case is based on presumption of dowry death. Taking note of the aforesaid fact the father-in-law of the deceased, namely Dukha Mandal @ Dukh Mandal has been allowed the privilege of regular bail by this Court in Criminal Miscellaneous No. 70102 of 2024. The petitioner being ladies, have been incarcerated since 09.10.2024.

5. On the other hand, learned Additional Public Prosecutor for the State vehemently opposes the bail application and contended that the death has occurred within two years of the marriage and the petitioners have actively participated in causing the death.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioners



are mother-in-law and sister-in-law of the deceased and death is opined to be asphyxia caused by hanging coupled with the fact that the husband of the deceased is behind the bar, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees twenty thousand) with two sureties of the like amount **each** to the satisfaction of learned Judicial Magistrate 1st Class, Udakishunganj, Madhepura in connection with Alamnagar P.S. Case No. 88 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioners with further conditions which are as follows:-

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

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

(iii) They 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, their bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that the petitioners has concealed their criminal antecedent, the



court below shall take immediate step for cancelling the bail bond of the petitioners. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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