

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8365 of 2025

Arising Out of PS. Case No.-201 Year-2024 Thana- Kavaiya District- Lakhisarai

1. Mungiya Devi @ Manju Devi Wife of Rajkumar Yadav @ Sadhu D.J Resident of Village - Sansar Pokhar, Pachna Road, P.S. and District - Lakhisarai
2. Saraswati Devi Daughter of Rajkumar Yadav, Wife of Vijay Yadav Resident of Village - Sansar Pokhar, Pachna Road, P.S. and District - Lakhisarai
3. Mira Kumari Wife of Bharat Yadav Resident of Village - Sansar Pokhar, Pachna Road, P.S. and District - Lakhisarai
4. Pinki Devi Wife of Ram Yadav @ Ram Kumar Yadav Resident of Village - Sansar Pokhar, Pachna Road, P.S. and District - Lakhisarai
5. Gauri Devi @ Gauri Kumari Wife of Late Chandan Yadav @ Chandan Kumar Resident of Village - Sansar Pokhar, Pachna Road, P.S. and District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Bilochan
For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 13-05-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Kabaiya Police Station Case No. 201 of 2024, dated 20.09.2024, disclosing offences under Sections 190/191/103/118/238/61(2)/62/123 of the Bhartiya Nyaya Sanhita.
3. The prosecution case, as per the complaint-cum-First



Information Report, is that on 04.09.2024, the informant's son, namely, Chandan Kumar (now deceased) came to his sasural to take her wife alongwith him. On the same day scuffle took place between the Chandan Kumar and his wife, Garui Devi @ Gauri Kumari, i.e. the petitioner no. 5. Upon this, the petitioners ordered to kill the informant's son as he used to torture their daughter. Further, on 05.09.2024, the informant was informed that his son was brought to the Rajeshwar Hospital as he was not well. On this information, the informant and other family members reached at the Hospital and saw that the deceased was lying down and after some time declared dead. The informant was prevented from informing the police as the same was already done by the petitioners. Postmortem was conducted on the same day and at the time of receiving the body, signature on three blank papers were taken by the petitioners. Informant, thus, believes that all the petitioners have killed the deceased.

4. Learned counsel for the petitioners submits that petitioner no. 1 is mother-in-law, petitioner nos. 2, 3 and 4 are sisters-in-law and petitioner no. 4 is the wife of the deceased. The marriage of the petitioner no. 5 was



solemnized with the informant's son Chandan Kumar about 11 years ago, there is three children from the wedlock and both were enjoying their matrimonial life without any dispute since long. He next submits that the petitioners have falsely been implicated in the present case on the basis of false and fabricated story. On the date of alleged occurrence the deceased came in drunken condition due to which he became unwell and was taken to the Hospital, which was informed to the informant, as would be evident form the First Information Report, and during the course of treatment he died due to consuming liquor. He further submits that post-mortem was conducted by the doctor at PMCH, Patna and opinion has been kept reserved til receipt of the Viscera and FSL Report. Accordingly, after postmortem and cremation of the dead body, the present First Information Report has been lodged after delay of six days.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the justification given by the petitioners, the petitioners have been made accused due to matrimonial dispute between the informant's son (deceased) and her



wife-petitioner no. 5 and the fact that the First Information Report has been lodged after postmortem and cremation of the dead body of the deceased, I am inclined to grant the petitioners privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate First Class, Lakhisarai, in connection with Kabaiya Police Station Case No. 201 of 2024, subject to the condition laid down under Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J)

ashwani/-

U		T	
---	--	---	--

