

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7290 of 2025

Arising Out of PS. Case No.-35 Year-2024 Thana- Karnamepur District- Bhojpur

Basanti Devi W/O Late Gajadhar Ojha R/O Village - Ojhwaliya, P.S-
Karnamepur (Shahpur), District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bibhakar Tiwary

For the Opposite Party/s : Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 12-05-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Karnamepur Police Station Case No. 35 of 2024, dated 18.09.2024, disclosing offences under Sections 80(2)/3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The allegation, as per the First Information Report lodged by the informant on 18.09.2024, is that her sister, namely, Sony Kumari, went missing for last four days and upon search her dead body was found in a well in village Ojhwaliya. It has further been alleged that the marriage of the informant's sister was solemnized with the petitioner's son, namely, Chandan Ojha, in April, 2024. After the marriage, the family members of the Chandan



Ojha, including the petitioner, used to torture the informant's sister for demand of dowry and due to non-fulfillment of demand of dowry the informant's sister was killed.

4. Learned counsel for the petitioner submits that the petitioner is a lady aged about 72 years. The petitioner has not committed any offence and has falsely been implicated in the present case. He next submits that the missing of the deceased was informed to the informant on the very same day i.e. 14.09.2024 and the informant was with the petitioner during search of the deceased since 14.09.2024 and only after recovery of the dead body of the deceased the present First Information Report has been lodged. He further submits that in fact the deceased wanted to marry Dhanji Tiwari, who is younger brother of her brother-in-law, however, but was married to son of the petitioner. The son of the petitioner, namely, Rajiv Ojha, has filed complaint, bearing complaint case no. 1890 of 2024, on 14.11.2024 against the Dhanji Tiwari and his family members alleging therein that they have committed wrong with the deceased, who, in the night of 13.09.2024, had gone to the house of Dhanji Tiwari.



5. Regards being had to the submissions advanced by the parties and taking into consideration the justification of learned counsel for the petitioner and the fact that the petitioner is a lady aged about 72 years, I am inclined to grant the petitioner privilege of anticipatory bail.
6. Considering the aforesaid and nature of allegation, I am not inclined to grant the petitioner the privilege of anticipatory bail.
7. This bail application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of her arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Bhojpur at Ara, in connection with Karnamepur Police Station Case No. 35 of 2024, subject to the condition laid down under Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J)

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