

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13531 of 2025

Arising Out of PS. Case No.-741 Year-2024 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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1. Sunita Devi W/O Ram Kishor Chaudhary @ Tuntun Babu R/O Rewa Road Near Jagdamba Sthan Patahi Jagamnath, Subhankarpur, P.S- Sadar, Distt.- Muzaffarpur, Bihar- 843113.
 2. Ram Kishor Chaudhary @ Tuntun Babu S/O Rameshwar Chaudhary R/O Rewa Road Near Jagdamba Sthan Patahi Jagamnath, Subhankarpur, P.S- Sadar, Distt.- Muzaffarpur, Bihar- 843113.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma- Sr. Advocate
		Mr. Shashwat Pratyush- Advocate
For the Opposite Party/s	:	Dr. Kumar Uday Pratap- A.P.P.
		Mr. Santosh Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 12-05-2025 1. The anticipatory bail application of the petitioner no.2, namely, Ram Kishor Chaudhary @ Tuntun Babu has already been withdrawn by an order dated 28.03.2025 as having become infructuous.
2. Heard learned senior counsel for the petitioner no.1, learned APP for the State and the learned counsel appearing on behalf of the informant.
3. The petitioner no.1 seeks bail in anticipation of her arrest in a case registered for the offences punishable under Sections 80, 103(1) and 3(5) of B.N.S.
4. The learned senior counsel for the petitioner submits



that the petitioner no.1 is a person with clean antecedent and is a woman and the informant alleges that his daughter was married to Chandan Kumar in the Year 2020. After marriage, Chandan used to taunt her on pretext of her educational qualification. Further, when she complained to her in-laws, they sided with Chandan. Further, accused persons started demanding dowry of Rs.5 Lacs, the informant managed to give Rs.1,50,000/-. Further, on 02.11.2024, Ram Kishor Chaudhary called and informed that his daughter committed suicide by hanging. Accordingly, the informant reached the place of occurrence and saw the dead body of his daughter lying and found that she was strangled to death, thus alleges that accused persons killed his daughter.

5. The learned senior counsel for the petitioner submits that petitioner, being mother in-law, has been falsely implicated in the instant case by the informant. It is next submitted that informant is not an eye witness to the occurrence. It is further submitted that during pendency of the instant anticipatory bail application, the husband of the petitioner i.e. Ram Kishor Chaudhary was murdered for which Muzaffarpur Sadar P. S. Case No.220 of 2025 has been instituted in which the present informant is an accused along with others. The learned senior counsel next submits that had the petitioner been involved in the occurrence, in that event, her husband would not have called the informant and



informed him that his daughter has committed suicide. It is also submitted that no doubt, the marriage was only five years old, but then, it is not that all deaths are dowry deaths, though presumption in law is against the husband of the deceased and his family members. It is next submitted that whenever any dispute arises in between the husband and the wife and the occurrence of the nature as alleged takes place, in that event, the entire family members are implicated in a mechanical manner. It is also submitted that had petitioner been involved in the occurrence, then effort would have been made to dispose of the dead body with a view to conceal the evidence and not to inform the informant by her husband about the occurrence. It is next submitted that from post mortem also, it would manifest that the same records that death was caused due to ante-mortem hanging and bruises were caused by hard blunt substance. The learned senior counsel thus submits that from the post mortem report, it would manifest that the deceased committed suicide, but the ante-mortem bruises which was found, does not disclose that the bruises were fresh. It is reiterated and submitted that whenever any dispute arises in between the husband and the wife and occurrence of the nature as alleged takes place, the entire family members are implicated. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to establish her innocence.



6. Learned counsel appearing on behalf of the informant as well as learned A.P.P. opposes the anticipatory bail application, but then, are not in a position to rebut the submission of the learned senior counsel appearing on behalf of the petitioner that it was her husband, who had informed about the occurrence and that had the petitioner been involved in the occurrence, then effort would have been made to dispose of the dead body with a view to conceal the evidence and not to send the body for post mortem.

7. Considering the submissions made by the learned senior counsel for the petitioner, the petitioner, above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II, Muzaffarpur in connection with Muzaffarpur Sadar P. S. Case No.741 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J)

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