

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14128 of 2025

Arising Out of PS. Case No.-30 Year-2024 Thana- Mohanpur District- Purnia

Reena Devi Wife of Barun Mahto Resident of Village- Shanti Nagar,
Nakdehari, Ward No. 02, P.S.- Mohanpur, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad

For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-05-2025 1. Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code read with Section 3/4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a woman and the informant alleges that his daughter was married to Gulshan about an year ago and was pregnant, next alleges that on 12.05.2024 at 11 O'clock he received an information that his daughter was killed by the accused persons including the petitioner, accordingly he reached the place of occurrence and also informed the police and accordingly the dead body was taken to



the hospital for postmortem.

4. Learned counsel for the petitioner submits that petitioner, being mother-in-law, has been falsely implicated in the instant case, it is next submitted that informant is not an eye witness to the occurrence. It is also submitted that no doubt the death took place within seven years of marriage, as such, presumption in law is against the husband of the deceased and his family members, but then all deaths are not dowry deaths. It is also submitted that there was a dispute in between the husband and the wife, on account of which the deceased took the extreme step of ending her life by committing suicide. It is next submitted that even the postmortem report records the cause of death as asphyxia as a result of ante mortem hanging. It is next submitted that whenever any occurrence of the nature as alleged takes place, the entire family members are implicated in a mechanical manner. It is further submitted 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, but then the dead body was sent for postmortem. It is also submitted that petitioner will not abscond rather will co-operate in the investigation to prove her innocence. It is next submitted that husband of the deceased is in custody.

5. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mohanpur P.S. Case No. 30 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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