

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15859 of 2025

Arising Out of PS. Case No.-354 Year-2024 Thana- VAISHALI District- Vaishali

Shanti Devi, W/O Dashrath Rai, Resident of Village- Khedpura, P.S.-
Vaishali, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 12-05-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends her arrest in connection
with Vaishali P.S. Case No. 354 of 2024, registered for the
offences punishable under Sections 85, 103(1), 238(a), 3(5) of
the Bharatiya Nyaya Sanhita, 2023.

3. Based upon the written report it is alleged that the
marriage of the daughter of the informant was solemnized with
the son of the petitioner, Sikandar Rai in the year 2013. Soon
after the marriage, the victim was subjected to torture on
account of non-fulfillment of the dowry. Later on the informant
came to know that she was done to death by all the family
members including the petitioner and her dead body was



concealed.

4. Learned Advocate appearing on behalf of the petitioner contended that the petitioner is none else, but the mother-in-law of the deceased. From perusal of the FIR it would be evident that the marriage of the victim with the daughter of the informant was solemnized long back in the year 2013 and the said marriage was a love marriage and, as such, any demand of dowry or torture does not inspire confidence, that too at this stage. In fact, the deceased died on account of some ailment, however, only in order to wreck vengeance, because the marriage was a love marriage, the present FIR has been instituted. Moreover, the husband of the deceased, namely Sikandar Rai, is under judicial custody and there is no specific allegation against the petitioner of causing any torture or demand of dowry.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the petitioner is named in the FIR with specific allegation.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the marriage was solemnized long back in the year 2013 and the petitioner is none else, but the mother-in-law, let the petitioner above named



be released on bail, in the event of her arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court of the Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 354 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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