

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18479 of 2025

Arising Out of PS. Case No.-304 Year-2024 Thana- MAHISHI District- Saharsa

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Foolo Devi @ Fool Day Devi @ Fulo Devi Wife Of Babu Prasad Mukhiya
Resident Of Village - Garaul, P.S.- Maheshi (jalai O.P.), District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nafisu Zzoha, Advocate

For the Opposite Party/s : Mrs.Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this present case, the petitioner seeks bail in connection with Mahishi P.S. Case No. 304 of 2024 registered on 16.10.2024 for the offences under Sections 80, 352, 351(2) and 3(5) of the B.N.S.

3. As per prosecution case, daughter of the informant was married with co-accused son of the petitioner and allegation against the petitioner and other co-accused person is that they used to torture the daughter of the informant on account of their demand of dowry and finally did away with her life due to non-fulfillment of their demand.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. No offence as alleged has ever taken place. Petitioner is the mother-in-law of the deceased and there is no cogent material against the petitioner. There is general and omnibus allegation of dowry demand and torture related to the said demand. The daughter of the informant was a short tempered lady and she committed suicide and her parents was informed about the incidence and the dead body was taken out after breaking the door. It shows there is no involvement of the petitioner or any other co-accused persons in causing death of the daughter of the informant. The husband of the deceased has voluntarily surrendered on 30.10.2024 and he is in custody since then. Petitioner is in custody since 17.10.2024 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner and other co-accused persons have been named for causing dowry death of the daughter of the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner is a lady and the allegations are mostly general and omnibus and also considering the clean antecedent of the petitioner as well as her period of custody and submission



of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa/concerned court in connection with Mahishi P.S. Case No. 304 of 2024, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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