

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23706 of 2025

Arising Out of PS. Case No.-733 Year-2024 Thana- DAUDNAGAR District- Aurangabad

Urmila Devi Wife of Shiv Lal Saw @ Shiv Nath Prasad @ Shivnath Saw
village- Arai PS -Daudnagar District -Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Adv. Mr. Kumar Baitha, Adv.
For the Informant	:	Mr. Saroj Kumar, Adv. Mr. Gopal Kumar, Adv.
For the State	:	Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 30-04-2025 Heard the parties.

2. The petitioner seeks bail in connection with Daudnagar P.S. Case No. 733/2024 registered for the offences punishable under Sections 80(2), 103(1), 3(5) of the B.N.S., 2023.

3. As per prosecution case, the petitioner and others are said to have committed murder of the informant's sister due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. The petitioner is languishing in custody since 21.11.2024 and bears no criminal antecedent. He further submits that the informant's sister was already married with someone and now the deceased has solemnized married with the co-accused Chandan Kumar, who is already married with another. The said co-accused



and informant's sister solemnized second marriage. Both have children from their first marriage and they have solemnized the second marriage to take care of their children from the first marriage. He further submits that the petitioner is mother-in-law of the deceased and she has falsely implicated in this case. He further submits that the deceased had suffered from depression and she has committed suicide. Prudently and pragmatically, it is not a case of dowry demand rather the deceased and co-accused have voluntarily married as both have their children from earlier marriage. The petitioner has no say in the family affairs of the deceased. He orally submits that charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. He further submits that co-accused Chandan Kumar is the husband of the deceased who has already surrendered before the trial court and copy of the order of the trial court in the light of surrender has been put on record.

5. The learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the prayer for bail of the petitioner and submitted that there is allegation against the petitioner and others who are said to have committed murder of the informant's sister due to non-fulfillment of demand of dowry.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner,



the petitioner having no say in the family affairs of the deceased, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar, Aurangabad in connection with Daudnagar P.S. Case No. 733/2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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