

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22663 of 2025

Arising Out of PS. Case No.-1043 Year-2024 Thana- KANKARBAG District- Patna

Pratima Devi Barnawal @ Pratima Barnawal @ Pratima Devi Wife of
Omprakash Baranwal R/o of 119, SBI Colony, Near Harilal Gayitri Mandir,
P.O- Lohia Nagar, P.S.- Kankarbhagh, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Teerthankar

For the Opposite Party/s : Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-04-2025 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Kankarbagh P.S. Case No. 1043 of 2024 registered for the offences punishable under Sections 80, 85 and 3(5) of the BNS.

3. The allegation against petitioner is cause death of the daughter of the informant along with other co-accused persons /family member due to non-fulfillment of demand of dowry as raised for rupees five lakh.

4. It is submitted by learned counsel appearing



on behalf of the petitioner that petitioner is mother-in-law having no connection with daily and domestic affairs with deceased and her husband. It is submitted that petitioner is implicated only being the mother of the husband of the deceased. It is pointed out that from the autopsy report of the deceased it can be gathered safely that deceased was not subjected to physical assault soon before the occurrence, rather she committed suicide out of domestic differences. It is also pointed out that the thrust of allegation is available against husband of the deceased, who is in judicial custody. Arguing further, it is submitted that the husband of petitioner is suffering from “metastatic cancer of prostate” as per Annexure- P/2 series of bail petition and this petitioner being wife is only a family member available with him for caring and medical support. It is submitted that the allegation as per FIR *qua* abetment is also not available against this petitioner being mother-in-law. It is further submitted that even the autopsy report is silent regarding cause of



death where opinion was reserved till receiving of finding of chemical analysis of viscera of the deceased. While concluding arguments, it is submitted that above named petitioner is a lady of clean antecedents.

5 Learned APP, while opposing the prayer of bail submitted that petitioner is the immediate family member of the deceased and her active role cannot be denied *qua* present occurrence.

6. Let it be so, as petitioner is mother-in-law, where no external injury appears available out of autopsy report of deceased, where cause of death is still awaited, accordingly petitioner above-named who is a lady of clean antecedent, in the event of her arrest or surrender before the court below within a period of four weeks of this order, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge XXVII, Patna /concerned Court, where the case is pending in



connection with Kankarbagh P.S. Case No. 1043 of 2024,
subject to the conditions as laid down under Section
482(2) of BNSS.

(Chandra Shekhar Jha, J)

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