

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23794 of 2025

Arising Out of PS. Case No.-42 Year-2024 Thana- CHANDRAMANDI District- Jamui

Kaili Devi Wife of Gujjar Yadav R/o Village- Fariyatadih, P.S- Bichkodwa,
District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-05-2025 Heard Mr. Niranjan Parihar, learned counsel for the
petitioner and Mr. Pranav Kumar, learned APP for the State.

2. The petitioner is apprehending her arrest in connection with Chandramandi P.S. Case No. 42 of 2024, F.I.R. dated 22.03.2024 registered for the offences punishable under Section 304B of the Indian Penal Code.

3. Allegation against the petitioner is of committing torture and caused death due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and she has been falsely implicated in the present case merely on the ground that she is the mother-in-law of the deceased. He further submits that it appears from the F.I.R. that the informant is not an eye witness



of the alleged occurrence and from perusal of the F..R. it transpires that there is no specific allegation of any assault or overt act or demand of dowry against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and the husband of the deceased namely Diwakar Yadav who happens to be the son of the petitioner is in judicial custody since 12.02.2025.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is no specific allegation of any assault or overt act or demand of dowry attributed against the petitioner and the son of the petitioner who happens to be the husband of the deceased is in judicial custody, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Jamui in connection with Chandramandi P.S. Case No. 42 of 2024, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023
and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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