

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23049 of 2025

Arising Out of PS. Case No.-78 Year-2019 Thana- GUTHANI District- Siwan

Shila Devi W/O- Arvind Gond R/o Village- Mairitar, P.S.- Guthani, District-
Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Singh, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-05-2025 Heard Mr. Prabhakar Singh, learned counsel
appearing on behalf of the petitioner and Mr. Pushpa Sinha.1,
learned APP appearing on behalf of the State.

2. The petitioner apprehends her arrest in connection
with Guthani P.S. Case No. 78 of 2019 registered under Sections
304(B), 201 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, all the
accused persons named therein, including the petitioner, for
non-fulfillment of demand of dowry, tortured and then murdered
the daughter of the informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and she has
falsely been implicated in the present case. The petitioner is the
sister-in-law of the deceased and she is married and residing



along with her husband separately and as such, there was no question of apprehension, so far as, the petitioner is concerned and now the police is bent upon to arrest her. The mother-in-law and father-in-law have already been acquitted by the learned District Court by the order passed on 31.01.2024 (Annexure-2). The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that the petitioner was residing separately along with her husband, when the said incident took place and she had no concern with the affairs of the deceased and her husband and only because the petitioner is sister-in-law of the deceased, she has been made accused in this case. The other co-accused i.e. father-in-law and mother-in-law have already been acquitted by the learned District Court. I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on anticipatory bail.

7. The learned District Court is directed to release the petitioner on anticipatory bail, in the event of her arrest or surrender before the learned District Court within a period of



four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Additional Sessions Judge-II, Siwan in connection with Guthani P.S. Case No. 78 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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