

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26331 of 2025

Arising Out of PS. Case No.-267 Year-2024 Thana- MAGADH UNIVERSITY District- Gaya

Sanju Devi W/O Birendra Yadav Resident of Village- Hasanpur, P.S- Magadh
University, District -Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-07-2025 Heard Mr. Sanjeev Kumar, learned counsel for the

petitioner and Mr. Parmanand Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Magadh University P.S. Case No. 267 of 2024,
F.I.R. dated 10.12.2024 for the offences punishable under
Sections 85, 80(1) of B.N.S. and Section 3/4 of the Dowry
Prohibition Act.

3. According to prosecution case, the petitioner
along with other co-accused persons is said to have demanded a
four-wheeler vehicle as dowry and they also said to have abused
and assaulted her badly. It is further alleged that they killed the
deceased due to non-fulfillment of the dowry demand.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and she has falsely been implicated in the present case merely on the ground that she is the mother-in-law of the deceased. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. In fact, the informant is not the eye-witness of the alleged occurrence and merely on the basis of suspicion, the petitioner has been made accused in the present case. It is further submitted that there is no specific allegation of any assault, overt act or demand of dowry attributed against the petitioner rather there is general and omnibus allegation against the petitioner in the FIR. It appears from the postmortem report that the deceased has committed suicide herself and it is further submitted that the husband of the deceased, namely, Niwas Kumar who happens to be the son of the petitioner, is in judicial custody since 24.01.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the clean antecedent of the petitioner, there is no specific allegation of any assault, overt act or demand of dowry attributed against the petitioner rather there is general and



omnibus allegation against the petitioner in the FIR and the son of the petitioner who happens to be the husband of the deceased is already 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VIII, Gaya in connection with Magadh University P.S. Case No. 267 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. 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.

ii. 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.

iii. 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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