

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28845 of 2025

Arising Out of PS. Case No.-312 Year-2024 Thana- NADI P.S. District- Patna

Manorama Devi S/o Umesh Rai R/o Vill- Jethuli P.S.- Nadi Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Eashita Raj, Advocate
For the State : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-05-2025 Heard Ms. Eashita Raj, learned counsel for the
petitioner and Mr. Rajesh Kumar, learned APP for the State.

2. The petitioner is apprehending her arrest in connection with Nadi P.S. Case No. 312 of 2024, F.I.R. dated 29.09.2024 registered for the offences punishable under Sections 80[304B IPC] and 3(5) [34 IPC] of the Bhartiya Nyaya Sanhita.

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. The informant is not an eye witness of the alleged occurrence and from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt



act or demand of dowry attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. In fact, the deceased has committed suicide herself and the husband of the deceased namely Ravi Kumar who happens to be son of the petitioner is in judicial custody and learned counsel for the petitioner has produced a report of the concerned Court which suggests that co-accused person Ravi Kumar who happens to be son of the petitioner is in judicial custody.

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 informant is not an eye witness of the alleged occurrence and husband of the deceased, namely, Ravi Kumar who happens to be son of the petitioner 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, Patna City, Patna in connection with Nadi P.S. Case No. 312 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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