

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28818 of 2025

Arising Out of PS. Case No.-233 Year-2024 Thana- AANDAR District- Siwan

Prabhawati Devi W/o Awadhilal Ram Resident of village- Bharauli, PS-
Andar, Dist- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kumari Anupam, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending her arrest in connection with Andar P.S. Case No. 233 of 2024 registered for the offences punishable under Sections 3(5) of the Bhartiya Nyay Sanhita, 2023.

3. The allegation against the petitioner is to cause death of sister of the informant along with other co-accused persons due to non-fulfillment of demand of dowry.

4. Learned counsel appearing on behalf of the petitioner submitted that face of F.I.R. projects two version *qua* committing suicide by sister of the informant, one is the demand of dowry and other is depression that her sister could



not give birth to any child even after four years of her marriage. It is submitted that in view of divergent views, implication of the petitioner with dowry death not appears convincing. It is further submitted that sister of the informant was short tempered lady and out of her temperament, she had committed suicide. It is pointed out that no mark of physical violence was noticed during autopsy upon the body of the deceased sister of the informant, which clearly suggests that she was not abused physically soon before the occurrence. While concluding argument, it is submitted that petitioner, being mother-in-law, is residing separately with the deceased and her husband and as such she had no connection with their daily and domestic affairs. However, petitioner claims to be a lady of clean antecedent.

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

6. In view of the aforesaid factual submissions and by taking note of the fact that two divergent views *qua* death of deceased sister of the informant was raised, where petitioner is the mother-in-law, who claims to be a lady of clean



antecedent as also to live separately with the deceased and her husband, accordingly, above-named petitioner, in the event of her arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Siwan in connection with Aandar P.S. Case No. 233 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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