

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30383 of 2025

Arising Out of PS. Case No.-481 Year-2024 Thana- MAHNAR District- Vaishali

Sushila Devi W/o- Brij Kishore Singh @ Digvijay Singh @ Thakur Digvijay
Narayan Singh @ Braj Kishore Singh Resident of Phatikwara PS- Mahnar
District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhay Shanker Singh, Advocate
For the Opposite Party/s	:	Mr.Umesh Lal Verma,APP
For the Informant	:	Mr. Rakesh Prabhat, Advocate
		Mr. Kumar Samarjeet Singh, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 3 02-07-2025 1. Heard learned counsel for the petitioner, learned
APP for the State and learned counsel on behalf of informant.
2. The petitioner apprehends her arrest in connection
with Mahnar P.S. Case no.481 of 2024 registered under Sections
103 and 3(5) of the B.N.S, 2023.
3. The case of the prosecution is that daughter of the
informant who was married in the year 2016 was done to death
on account of non-fulfillment of dowry.
5. It is submitted by learned counsel for the petitioner
that petitioner is the mother-in-law of the deceased. It has
further been submitted that the present unfortunate incident has
happened after 8 years of marriage and as a matter of fact the



deceased has committed suicide by consuming some poisonous substance on account of financial hardship. Learned counsel referring to the order of rejection of the learned Court below submits that postmortem report also shows that there is no external injury present on the dead body and hence, viscera report was preserved to ascertain the cause of death. It has further been submitted that prior to this incident there were no complaints with regard to any ill behavior meted out to the deceased. The information with regard to death of deceased was not only given to the police but also to the informant and his family whereafter an inquest report was made and dead body was also subjected to the postmortem examination. On strength of these facts, it has been submitted that there was no attempt to cause disappearance of evidence rather the husband who is primarily responsible for welfare of his wife surrendered in the learned Court below. He further submits that father-in-law of the deceased was also taken into custody, however, he was granted regular bail by a co-ordinate Bench of this Court vide order dated 23.04.2025 passed in Cr. Misc. No. 21918 of 2025 (Annexure-2). He next submits that the petitioner is also staying separate in mess and residence from the deceased and her husband and undertakes to co-operate in investigation/trial.



6. The application for bail is opposed by learned APP for the State and learned counsel for the informant on the ground that deceased has been done to death in her matrimonial house and hence, the petitioner would also be responsible for the same.

7. Considering the rival contentions of the parties and also considering the fact that husband has already surrendered and petitioner is the mother-in-law, it is directed that the petitioner above named in the event of her arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Mahnar P.S. Case no.481 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Vaishali at Hajipur, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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