

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35659 of 2025

Arising Out of PS. Case No.-109 Year-2024 Thana- SHYAMPUR BHATHAN District-
Sheohar

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Sita Devi @ Parvati Devi W/O Narayan Singh R/O Village- Paharpur, P.S-
Shyampur Bhathan, Distt.- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prabhat, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2025 Heard Mr. Krishna Prabhat, learned counsel for the

petitioner and Mr. Zainul Abedin, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Shyampur Bhathan P.S. Case No. 109 of 2024,
F.I.R. dated 18.10.2024 for the offences punishable under Sections
126(2), 127(2), 115(2), 118(1), 117(2), 118(2), 109(1), 85, and
3(5) of the BNS, 2023 and Section 3/4 of the Dowry Prohibition Act
and later on vide order dated 02.01.2025 Sections 80 and 103(1) of
BNS, 2023 were added.

3. According to prosecution case, the marriage of the
informant's daughter was solemnized on 24.09.2024 and after few
days of her marriage, the husband and her in-laws started
demanding one car as dowry and on non-fulfillment of their said



demand, they started to torture the informant's daughter due to which she died.

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 mother-in-law of the deceased. He further submits that it appears from the F.I.R. that the informant is not the eye witness of the alleged occurrence and she has been made accused on the basis of suspicion and the son of the petitioner, who happens to be the husband of the deceased is in judicial custody and he has confessed his guilt in the present occurrence.

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

6. Considering the aforesaid facts, the petitioner has clean antecedent, there is no specific allegation against the petitioner in the present F.I.R. and the informant is not the eye witness of the alleged occurrence and the husband of the deceased has confessed his guilt in the present occurrence, let the petitioner, above named, in the event of 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 Additional Chief Judicial Magistrate-II,



Sheohar in connection with Shyampur Bhathan P.S. Case No. 109 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)

Jyoti Kumari/-

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