

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40743 of 2025

Arising Out of PS. Case No.-35 Year-2024 Thana- Karnamepur District- Bhojpur

Juhi Devi W/O Sonu Ojha R/O Village- Ojhawalia, P.S- Karnamepur,
District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Upadhyay, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 03-09-2025 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Karnamepur P.S. Case No. 35 of 2024 for the offences punishable under Sections 80(2), 3(5) of the B.N.S., 2023.

3. According to prosecution case, Soni Kumari, the informant's sister, went missing for four days and was later found dead in a village well. She had married Chandan Ojha of Village Ojhwalia in April 2024. It is alleged that her husband's family - including his mother Basanti Devi, sister-in-law Juhi Devi (petitioner), nephew Ayush Ojha, and relative Parmhans Ojha - regularly tortured her for dowry and are responsible for



her murder.

4. Learned counsel for the petitioner submits that the petitioner is innocent, has falsely been implicated in the present case at the instance of persons having inimical terms with the petitioner and her husband. It has next been submitted that the petitioner is the eldest *gotni* of the deceased and is living separately from the husband of the deceased in Delhi where her husband is working in a private firm. The allegation is of demanding dowry and torture by the accused which is merely a bald statement as is said to have been made in the F.I.R., while the allegations as leveled against the mother-in-law, namely, Basanti Devi, in similar tone, has been granted bail vide order dated 12.05.2025 passed by this Hon'ble Court in Cr. Misc. No.7290 of 2025 and the case of the petitioner stands on the better footing as according to her, the petitioner was not present at the place of occurrence, which is said to have occurred in the village Ojhawalia. It has next been submitted that by referring to paragraph 15 of the petition that in fact, the deceased wanted to marry Dhanji Tiwary, the younger brother of her brother-in-law but her marriage was solemnized with Chandan Ojha, the *dewar* of the petitioner and because of which, she was not happy with the said marriage.



5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances, the allegations levelled against the petitioner are general and omnibus in nature and the mother-in-law has already been extended the privilege of anticipatory bail, 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 Chief Judicial Magistrate - I, Bhojpur at Ara, in connection with Karnamepur P.S. Case No. 35 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail



cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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