

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45158 of 2025

Arising Out of PS. Case No.-101 Year-2024 Thana- Pothia District- Katihar

Sawita Devi @ Savita Devi W/o Gopal Pandit R/o Village- Khaira Lalchand,
P.S.- Pothiya, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Adv

Mrs. Bharti Kumari, Adv

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

Mr. Mukesh Kumar Jha, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 15-11-2025 1. Heard learned counsel for the petitioner; learned
A.P.P. for the State, Sri Chandra Bhushan Prasad and the learned
counsel appearing on behalf of the informant.

2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 80(2) and
61 of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioner, at the outset,
submits that petitioner is mother-in-law of the deceased. It is
next submitted that petitioner is a person with clean antecedent
and the informant alleges that his daughter was married to Ajit
on 1-3-2023, after marriage the accused persons including the
petitioner started torturing his daughter for non-fulfillment of
demand of a motorcycle and Rs. 10 lakhs for purchasing land,



further the victim also disclosed that Ajit is having an extramarital affairs with Ganga and when the victim protested the relationship, Ajit threatened that if demand is not met, he will marry Ganga, further Ajit on 26-10-2024 informed from an unknown number that victim died, accordingly he along with the family members reached the place of occurrence and found the dead body of the victim lying inside a room with multiple injury marks and the accused persons had fled.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that informant is not an eye witness to the occurrence. It is further submitted that it is not in dispute that police was informed and the dead body of the victim was recovered after breaking the door, which amply demonstrates that victim had committed suicide, it is also submitted no doubt the victim died within seven years of marriage, but all deaths are not dowry death. It is next submitted that thrust of the allegation is against Ajit as informant alleges that victim disclosed that he was having an extramarital affairs with Ganga and used to threaten that if demand is not met, he will marry Ganga. It is further submitted that whenever any dispute arises in between the husband and the wife and the



occurrence of the nature as alleged takes place, the entire family members are implicated in a mechanical manner with general and omnibus allegations. It is submitted that even allegation of demand of dowry with respect to the petitioner is general and omnibus in nature. Learned counsel for the petitioner next submits that husband of the victim was taken in custody but then he has been granted the privilege of regular bail by the learned district court. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove her innocence.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner. Learned counsel appearing on behalf of the informant fairly submits that husband of the victim has been granted the privilege of regular bail against which a cancellation application has been filed.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Pothiya P.S. Case No. 101 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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