

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44863 of 2025

Arising Out of PS. Case No.-35 Year-2020 Thana- KARJA District- Muzaffarpur

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Rama Devi W/o Raj Mangal Pandey R/o Village- Barkagaon, P.S.- Karja,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-08-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends her arrest in connection
with Karja P.S. Case No. 35 of 2020 instituted for the offences
punishable under Sections 498A, 307, 34 and 302 of the Indian
Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent. It is next submitted
that informant (deceased) alleged that she was married to Rajan
Pandey and after marriage, the family members of the husband
including the petitioner were demanding motorcycle as dowry
but the father of the informant was not in a position to fulfill the
demand. It is next alleged that on 23.01.2020, her husband
started abusing her since the demand of dowry was not fulfilled,



thereafter the father-in-law of the informant gave order to kill, on which the petitioner brought a gallon of kerosene oil and handed over to her son i.e. husband of the deceased, who poured the kerosene oil and set her ablaze.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that the marriage of the informant with the son of the petitioner was performed about 8 to 10 years back and out of the wedlock, three children were born. It is further submitted that in these 10 days no case ever came to be instituted either by the informant (deceased) or her family members alleging torture for non-fulfillment of demand of dowry, which amply demonstrates that petitioner and her family members never demanded dowry. It is also submitted that petitioner has been implicated in the case with an allegation that on order of her husband she brought a gallon of kerosene oil and handed over to her son, who poured on the informant and set her ablaze, as such, the petitioner has been implicated with an allegation that it was petitioner who handed over the gallon of kerosene oil to her son for committing the occurrence. It is submitted that there was a tussle in between the informant and her husband, on account of which, the informant out of anger



poured kerosene oil on herself and set ablaze but then the family members immediately rushed her to the hospital, where her fardbeyan was recorded. It is further submitted that had the petitioner and her family members been involved in the occurrence, in that event, efforts would have been made to dispose of the dead body with a view to conceal evidence but then the informant was taken to the hospital for treatment where she died subsequently after her fardbeyan was recorded. It is next submitted that husband of the informant along with her two sons including the husband of the deceased were taken in judicial custody and they faced a full fledged trial and were acquitted of the charges. It is thus submitted that no useful purpose would be served by sending the petitioner to jail.

5. The learned APP opposes the prayer for anticipatory bail of the petitioner.

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 Court below 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 Karja P.S. Case No. 35 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that if the learned trial court comes to a conclusion that petitioner after being released on anticipatory bail is trying to delay the framing of charge or after framing of charge is delaying the trial, in both the conditions, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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