

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47560 of 2025

Arising Out of PS. Case No.-276 Year-2024 Thana- SAHPUR District- Bhojpur

Radhika Devi W/O Gorakh Rai R/O Village- Hirkhi Pipra, P.S- Shahpur,
Distt.- Bhojpur (Ara).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Pandey, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-07-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 80 and
3(5) of the BNS.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that his niece was married to the son of the petitioner on
12.07.2024. After marriage, the accused persons including the
petitioner were demanding a Bullet motorcycle in dowry but
since the demand was not fulfilled, as such, the victim was
tortured. It is next alleged that accused persons along with the
petitioner for non-fulfillment of the demand killed the niece of
the informant.

4. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the instant case being the mother-in-law of the deceased. It is further submitted that allegation of demand of dowry and torture is general and omnibus in nature. It is next submitted that the dead body of the deceased was sent for postmortem which amply demonstrates that no effort was made by the accused persons including the petitioner to conceal the evidence by disposing of the dead body. It is also submitted that in the postmortem report, it was recorded that the deceased died on account of asphyxia due to sudden compression of neck and strangulation. It is thus submitted that had the petitioner been involved in the occurrence then effort would have been made to conceal the evidence by disposing of the dead body. It is submitted that husband of the deceased is in custody. It is further submitted that whenever any occurrence in the nature as alleged takes place the entire family members are implicated in a mechanical manner. It is next submitted that petitioner will not abscond rather will cooperate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let 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 Shahpur P.S. Case No. 276 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, if the investigating officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

8. It is made clear that if the learned trial court during course of trial comes to a conclusion that petitioner is not cooperating in the trial in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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