

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57995 of 2025

Arising Out of PS. Case No.-296 Year-2023 Thana- ADAPUR District- East Champaran

Afsana Khatoon W/o Samsul Miya @ Seraj Miya, R/o Village- Baraiya Tola,
P.S.- Aadapur, District- East Champaran, Motihari.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Aadapur P.S. Case No. 296 of 2023 dated 01.10.2023, registered for the offence punishable under Section 304B read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, daughter of the informant was married with co-accused Dilshad Alam, son of the petitioner. The allegation against the petitioner and other co-accused persons is that sometime after marriage, they started demanding motorcycle, a gold chain and cash of Rs. 3,00,000/-. When the demand was not met, the petitioner and other co-accused persons assaulted the daughter of the informant and drove her out from their house. Thereafter, a *panchayti* was held



and daughter of informant returned to her matrimonial home, but her in-laws kept demanding the dowry and ultimately, killed the daughter of the informant.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and she has falsely been implicated in the present case. The petitioner is mother-in-law of the deceased and she lives separately. The co-accused husband of the deceased has already been granted bail by a learned co-ordinate Bench of this Court *vide* order dated 25.10.2024 passed in Cr. Misc No. 70946 of 2024. During the course of investigation, the Police did not find any material against the petitioner. He further submits that the deceased never made any complaint against the petitioner or her in-laws in her lifetime. There is no direct and specific allegation against the petitioner and the allegation of demand of dowry, torture and subsequent murder are false and concocted. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted in this case. Learned counsel lastly submits that petitioner is in custody since 28.04.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioner and submits that petitioner is mother-in-law of the deceased and she



along with other co-accused persons were directly involved in killing of the daughter of the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner is mother-in-law of the deceased and co-accused husband has already been granted bail by a co-ordinate Bench of this Court and further considering the period of custody of the petitioner and submission of chargesheet against her and her clean antecedent, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran / concerned Court, in connection with **Aadapur P.S. Case No. 296 of 2023**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on



single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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