

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52470 of 2025

Arising Out of PS. Case No.-158 Year-2025 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Sushila Devi W/o Late Umesh Mahto R/o vill - Jitwarpur Kanhaiya Chok,
P.S.- Muffasil, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Adv
For the Opposite Party/s : Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in a case
registered for the offence punishable u/s 80(2) and 3(5) of the
B.N.S.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have strangled the
informant's daughter to death due to non-fulfillment of demand
of dowry under conspiracy.

4. Learned counsel for the petitioner has submitted
that the petitioner happens to be the mother-in-law of the
deceased. It is further submitted that from perusal of the post-
mortem report, it is evident that the cause of death is "asphyxia



due to hanging”. It is lastly submitted that the husband of the deceased is already in custody and the petitioner has clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and also considering the fact that the petitioner has clean antecedent, let the above named petitioner, in the event of her arrest/surrender within a period of four weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur, in connection with Muffasil P.S. Case No. 158 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.), with further condition/s:-

(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 absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be canceled by the Court concerned.

(iv) The learned Court below shall verify the criminal antecedent of the petitioner and in



case at any stage it is found that the petitioner has concealed her criminal antecedents, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

7. This application stands allowed.

(Sourendra Pandey, J)

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