

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51931 of 2025

Arising Out of PS. Case No.-202 Year-2024 Thana- GAMAHARIYA District- Madhepura

1. Chunchun Devi, W/o Arun Sharma, R/o Village- Bhelwa, P.S.- Gamhariya, District- Madhepura
2. Shanti Devi, W/o Dipo Sharma @ Deepak Sharma, R/o Vill- Bhelwa, P.S.- Gamhariya, Distt- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
Mr. Pravin Kumar, Advocate
For the Opposite Party/s : Mr. Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-08-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Gamhariya P.S. Case No. 202 of 2024 registered for the offences punishable under Sections 103(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Allegedly the marriage of the daughter of the informant was solemnized with co-accused Arvind Kumar @ Arvind Sharma on 10.04.2023 in accordance with Hindu Rites and Customs. Soon after the marriage, the daughter of the informant was subjected to demand of dowry and on account of non-fulfillment of the same, she was tortured in various ways. It is also alleged that she was ousted from the matrimonial house



and later on *Panchayati* was held and thereafter she was allowed to live in the matrimonial house. However, on 30.09.2024, the informant got an information that his daughter has been done to death by the accused persons. It is further alleged that the husband of the deceased had illicit relationship with petitioner no.1, this may be also one of the reason to eliminate the deceased.

4. Learned Advocate for the petitioner contended that both the petitioners are sister-in-law of the deceased and there is omnibus nature of allegation against all the accused persons, including the petitioners. The petitioners are residing separately from the deceased and her husband, having no concern with their day-to-day affairs. Moreover, the husband of the deceased as well as the husband of the petitioners are also behind the bar and the petitioners being the ladies are only the persons, who are looking after the other family members.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the post-mortem report clearly suggests that the daughter of the informant was throttled to death just within two years of the marriage and the petitioners being the close in-laws members, their complicity in the crime cannot be ruled out.



6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the fact that the petitioners are ladies, having fair antecedent, coupled with the omnibus nature of allegation and the husband of the deceased and the petitioners are also behind the bar, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Gamhariya P.S. Case No. 202 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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