

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53351 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- SAKRA District- Muzaffarpur

Rekha Devi W/o Prem Lal Sahni, R/o Village - Simra, P.S. - Piyear, District –
Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Section 80 read with Section 3(5)
of the B.N.S., 2023.

3. The prosecution case in brief is that the accused
persons including the petitioner (mother-in-law) caused death of
Rina Devi and her baby and hanged her in Mahmmadpur Kothi
Pilkhi Lichi Gachi through her sari. It is further alleged in the
FIR that soon after her marriage, she was subjected to cruelty
and harassment in connection with demand of dowry.

4. Learned counsel for the petitioner submits that
petitioner is innocent and she has not committed any offence as
alleged in the FIR. He further submits that petitioner has falsely
been implicated in the present case simply because she happens



to be the mother-in-law of the deceased. Learned counsel next submits that the petitioner carries clean antecedent as mentioned in the paragraph no. 3 of the bail application. Learned counsel lastly submits that the petitioner is in custody since 19.03.2025.

5. Learned Additional Public Prosecutor for the State vehemently opposes the prayer for bail of the petitioner and submits that the petitioner along with other accused persons are involved in the death of Rina Devi and her baby and therefore, she should not be enlarged of bail.

6. Considering the aforesaid facts and circumstances of the case as well as the submissions made on behalf of the parties and also taking into account the fact that petitioner is mother-in-law of the deceased who is in custody since 19.03.2025, chargesheet has been submitted bearing chargesheet no. 364 of 2025 dated 13.05.2025 and charges have also been framed against the petitioner, a categorical statement to this effect has been made in paragraph no. 11 of the bail application and since the chargesheet has already been filed and the charges have also been framed, keeping the petitioner in custody would not serve any purpose and therefore, this Court is inclined to enlarge the petitioner on bail. Accordingly, the petitioner, above-named, is directed to be released on bail on



furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending / successor Court, in connection with **Sakra P.S. Case No. 138 of 2025**, subject to the following conditions:

(i) One of the bailors of the petitioner shall be her close relative.

(ii) The petitioner shall remain physically present in the Court on each date of the trial.

(iii) In case of absence on two consecutive dates without substantial reason, 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.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of her bail bond.

(v) 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 antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be



delayed for purpose of or in name of verification.

7. Accordingly, the prayer for bail stands allowed.

(Alok Kumar Sinha, J)

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