

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56786 of 2025

Arising Out of PS. Case No.-177 Year-2025 Thana- SIKARPUR District- West Champaran

Nurjaha Khatoon @ Nurjahan Khatun W/o Samsher Alam @ Shamsher Alam
@ Shamsher Miyan R/o Village - Chakki Pakadi, P.S - Shikarpur, District -
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Advocate
For the State	:	Mr. Pronoti Singh, APP
For the Informant	:	Mr. Umesh Kumar Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 15-11-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the Informant.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Shikarpur P.S. Case No. 177 of 2025, dated
12.02.2025, registered for the offences punishable under
Sections 80 and 3(5) of B.N.S., 2023.

3. As per the FIR, there is allegation of causing dowry
death of the daughter of the informant within three months of
marriage on account of demand of dowry and non-fulfillment of
the same by the daughter of the informant, who was married
with the son of the petitioner.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this



case. He further submits that the petitioner is a mother-in-law of the deceased and in the FIR, there is no direct allegation of any demand of dowry and torturing therefor by the petitioner. The direct allegation of demand of dowry and torturing therefor is against the husband of the deceased, who is already in jail. But there is no specific allegation of any demand of dowry against the petitioner. Moreover, the deceased has committed suicide, as per the postmortem report.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State and learned counsel for the Informant vehemently oppose the prayer of the Petitioner for bail submitting that the alleged offence is serious in nature and the innocent lady/victim has been done to death within the four walls of the matrimonial house and in such situation, the petitioner, who is mother-in-law of the deceased, is naturally involved in the offence and hence, she should not be enlarged on anticipatory bail.

8. Considering the fact that there is no specific



allegation of any demand of dowry and torturing therefor by the petitioner, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of her arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on her furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Shikarpur P.S. Case No. 177 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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