

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63877 of 2025

Arising Out of PS. Case No.-64 Year-2024 Thana- HALSI District- Lakhisarai

Kanchan Devi Wife of Late Suryadev Singh Resident of village- Tarhari, Ps-
Halsi, Dist- Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babulal Singh son of Late Ambika Singh Resident of village- Mehus Uttar
tola, ps- Mehus, Dist- Sheikhpura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaibhava Veer Shanker

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends her arrest in connection
with Halsi P.S. Case No. 64 of 2024 registered for the offences
punishable under Sections 304B and 120B of the Indian Penal
Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that his daughter was killed and cremated.

4. The learned counsel for the petitioner submits that
petitioner being mother-in-law has been falsely implicated in the
instant case by the informant. It is next submitted that from



perusal of the allegation as alleged in the FIR, it would manifest that informant is not an eyewitness to the occurrence and the allegation of torture is general and omnibus in nature. It is also submitted that whenever any dispute arises in between husband and the wife and the occurrence of the nature as alleged takes place, the entire family members are implicated in a mechanical manner with general and omnibus allegations.

5. The learned APP vehemently opposes the anticipatory bail application and submits that from perusal of the allegation as alleged in the FIR, it would manifest that it has been specifically alleged that the daughter of the informant was killed and thereafter her body was cremated. It is next submitted that if the petitioner or her family members were not involved in the occurrence, in that event, efforts would not have been made to dispose of the dead body with a view to conceal evidence, rather the family members would have allowed the post-mortem of the dead body. It is further submitted that it is not possible for the husband to singly cremate his wife. It is also submitted that the occurrence took place within three years of marriage, as such in law also presumption is against the husband and his family members.

6. At this stage, the learned counsel appearing on



behalf of the petitioner submits that informant has filed an affidavit before the learned trial court wherein it has been stated that mistakenly the instant case came to be instituted as he was misguided by some villagers, on which the learned APP submits that it appears that the petitioner's side after the occurrence won over the informant which led to filing of the said affidavit, annexed as Annexure-2 to the anticipatory bail application. The learned APP also submits that investigation is still continuing.

7. Considering the submission made by learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

8. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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