

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66279 of 2025

Arising Out of PS. Case No.-157 Year-2025 Thana- BHAGWANPUR HAT District- Siwan

Asarfi Kunwar W/o- Late Bhagwati Singh Village- Kauniya Baishyatoli Ps-
Bhagwanpur Hat Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arbind Kumar, Adv.

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-09-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest in connection with Bhagwanpur Hat P.S. Case No. 157 of 2025 for the offence registered under sections 80/3(5) of the BNS lodged on 01.05.2025 by the informant, Kaushalya Devi.

3. As per the prosecution story, the informant alleged that her daughter was married to Basant Kumar Singh but was tortured for car and the cash amount. Later, they came to know about her death and hanging of the body with the ceiling fan. This led to the case.

4. Learned Counsel for the petitioner submits that on a minor issue, the lady committed suicide, the husband himself has lost his wife and immediately after is in custody since



04.07.2025. This lady is mother-in-law living separately having no criminal antecedent and no role to play. If granted relief, she shall be diligently appearing in trial.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that allegation of torture and Bhagwanpur Hat P.S. Case No. 157 of 2025 dowry is there.

6. Considering the submissions of the parties as also the fact that the learned Sessions Judge order shows that the body was found hanging with the ceiling fan, the husband is already in custody as recorded above, she is a lady having no criminal antecedent, it has been submitted that she was living separately from the couple, in that background, this Court is inclined to grant her the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Siwan in connection with Bhagwanpur Hat P.S. Case No. 157 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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