

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70763 of 2025

Arising Out of PS. Case No.-339 Year-2024 Thana- MAHISHI District- Saharsa

Gita Devi W/o- Shyam Choudhary R/v- Rajanpur Ps- Mahishi Dist- Saharsa
... .. Petitioner/s

Versus

The State of Bihar Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Adv.
For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 09-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection with Mahishi P.S. Case No. 339 of 2024 registered for the offences punishable under Sections 85, 80, 238, 3(5) of the B.N.S.

3. As per prosecution case, informant's daughter was married with co-accused Sonu Choudhary in November, 2023. It is alleged that informant's daughter was three months' pregnant and her son-in-law used to demand Rs. 1 lakh in dowry from her daughter and threatened her that if the demands were not met, she would be killed. It is further alleged that on 06.11.2024, petitioner and others are said to have committed murder of informant's daughter for non-fulfillment of demand of dowry and her dead body was set on fire without giving any



information to the informant and when informant tried to talk to her daughter on phone, then she came to know about the incident. The informant explained that due to receiving late information, she belatedly lodged the F.I.R.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the first information report. It is submitted that petitioner being mother-in-law of the deceased has been falsely implicated in this case. It is submitted that petitioner is living separately from the deceased and her husband in mess and business and she has no say in the family affairs of the deceased and her husband. It is further submitted that informant was already intimated regarding the cremation of informant's daughter, but she failed to attend the same, and later on, she made a false story about the allegation and implicated the petitioner in the present case. It is submitted that petitioner has nothing to do with the alleged occurrence. It is further submitted that husband of the deceased is already in custody. The allegations levelled against the petitioner are general and omnibus in nature. Petitioner bears clean antecedent. In the light of the aforesaid facts and circumstances of the case, no offence is made out against the petitioner and petitioner deserves bail.



5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner. He submits that petitioner is one of the accused who has participated in the alleged occurrence and she cannot escape from the allegations levelled in the first information report.

6. Considering the facts and circumstances of the case, petitioner being mother-in-law having no say in the family affairs of the deceased, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Mahishi P.S. Case No. 339 of 2024, subject to the conditions as laid down under section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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