

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71851 of 2025

Arising Out of PS. Case No.-226 Year-2025 Thana- SAKRA District- Muzaffarpur

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1. Haseena Khatoon W/o Islam Baitha Resident of - Saramsthpur, P.S - Sakra, District - Muzaffarpur
 2. Akahtri Kahtoon W/o Feroz Resident of - Saramsthpur, P.S - Sakra, District - Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Moh. Lalbabu S/o Moh. Pooran Resident of Village - Jagdishpur, P.S - Khanpur, District - Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Sr. Adv.
		Mr. Anuj Kumar, Adv.
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-10-2025 1. Heard learned Senior counsel for the petitioners,
Mr. Ansul and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 304B of the Indian Penal Code.

3. Learned Senior counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that his daughter was married to Moh. Ali Hussain on 10.11.2022 and out of the wedlock, a girl child was born, it is next alleged that after the birth of the child, the accused persons including the petitioners started torturing her



for dowry of Rs. 5 Lakhs and on account of non-fulfillment of the demand, the victim was tortured, it is further alleged that on the date of occurrence i.e. 26.04.2025, the accused persons including the petitioners strangled the victim to death.

4. Learned Senior counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant, it is next submitted that informant is not an eye witness to the occurrence. It is also submitted that no doubt the death of the victim took place within seven years of marriage, as such, there is a presumption in law against the husband of the deceased and his family members, but then all deaths are not dowry deaths. It is next submitted that had the petitioners been involved in the occurrence, in that event efforts would have been made to dispose of the dead body with a view to conceal evidence, but then from perusal of the allegation as alleged in the FIR, it would manifest that the dead body was lying in the house and the same was sent for postmortem. It is reiterated and submitted that had the petitioners been involved in the occurrence, in that event efforts would have been made to ensure that dead body is not sent for postmortem or else the cause of death would be ascertained. It is next submitted that whenever any dispute arises in between the 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. It is further submitted that petitioners, being mother-in-law and married sister-in-law of the deceased, came to be implicated when petitioner no. 2 does not reside with the family of the husband of the deceased. It is next submitted that the husband of the deceased is in custody. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sakra P.S. Case No. 226 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event if the



Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite giving assurance to this Court are not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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