

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72461 of 2025

Arising Out of PS. Case No.-72 Year-2025 Thana- HATHAURI District- Muzaffarpur

Tetri Devi Wife of Ramkaran Sahani Resident of Village - Jitkahiya,
Jhitkahiya, P.S. - Aurai, Hathauri, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-11-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 103(1), 61(2)
and 3(5) of the BNS.

3. Learned counsel for the petitioner submits that the
case was taken up on 12.11.2025 and the petitioner was directed to
file a supplementary affidavit bringing on record the charge-sheet
submitted against the other accused persons. It is further submitted
that despite best endeavours the charge-sheet could not be
obtained.

4. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that his son Raja was married to Khusbu on 11.05.2023.
Further, on 11.05.2025, his son had gone to the parental house of



his wife for bringing her back and thus asked her to accompany him on 12.05.2025, on which an altercation took place, but the named accused persons including the petitioner asked his son to stay back. It is further alleged that the accused persons assaulted and killed his son thereafter hanged his dead body on a tree in an orchard. It is next alleged that while his son was being assaulted, he had called at 06:03 p.m. but thereafter his phone was switched off.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that informant is not an eyewitness to the occurrence nor the FIR even remotely discloses or suggests that the victim while talking to the informant disclosed that who was assaulting him. It is next submitted that petitioner is the mother-in-law of the deceased and no mother-in-law would want her daughter to become a widow. It is also submitted that had the petitioner been involved in the occurrence in that event efforts would have been made to dispose of the dead body with a view to conceal the evidence but then the dead body was found hanging on a tree. It is further 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 allegation. It is



next submitted that charge-sheet against some of the accused has been submitted under Sections 108, 61(2) and 3(5) of the BNS. It is also submitted that the son-in-law of the petitioner committed suicide.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that though it has been pleaded at para 15 of the anticipatory bail application that charge-sheet against other accused persons has been submitted under Sections 108, 61(2) and 3(5) of the BNS but the same has not been brought on record despite an opportunity being given to the petitioner. It is further submitted that if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond on which learned counsel appearing on behalf of the petitioner submits that petitioner is a woman and she will not abscond rather will cooperate in the investigation to prove her innocence.

7. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) 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 Hathauri P.S. Case No. 72 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. It is made clear that thereafter the learned trial court shall verify as to whether charge-sheet with respect to other accused persons has been submitted under Sections 108, 61(2) and 3(5) of the BNS or not and if it is found that charge-sheet against other accused persons has not been submitted under the aforesaid sections, in that event the provisional anticipatory bail bonds of the petitioner shall not be confirmed but if it is found that charge-sheet against other accused persons has been submitted under the aforesaid sections, in that event the provisional anticipatory bail bonds of the petitioner shall be confirmed forthwith.

9. However, if the investigating officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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