

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79590 of 2025

Arising Out of PS. Case No.-180 Year-2025 Thana- MADHUBAN District- East Champaran

Nirasha Devi Wife of Santosh Mahto R/o Village- Wajitpur Ward No. 3, P.S.-
Madhuban, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Madhuban P.S. Case No. 180 of 2025, dated 29.05.2025, lodged under Sections 80 & 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against eight named accused persons, including the present petitioner, alleging that all the accused, in connivance with each other, used to demand dowry, due to which the informant’s daughter was killed.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the petitioner is the married *nanad* and used to live



in her sasural, and she has nothing to do with the family business of her brother. He further submits that only with a view to create pressure she was made an accused. He further submits that from the place of occurrence, the mother-in-law (*saas*) of the deceased was arrested, but subsequently she was granted bail by a co-ordinate Bench of this Court vide order dated 21.08.2025 passed in Cr. Misc. No. 57280 of 2025. He further submits that, as per his instructions, the husband (petitioner's brother) of the deceased is inclined to surrender and, therefore, anticipatory bail may be granted to the petitioner.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that it is true that the husband of the deceased has not surrendered till date, and the petitioner, being the sister-in-law of the deceased, has moved before this Court for anticipatory bail.

6. In light of the submissions made above, particularly the undertaking that the husband of the deceased shall surrender, this Court grants anticipatory bail to the petitioner in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing a bail bond of Rs. 30,000/- (Rupees Thirty Thousand), as mentioned in Section 2(1)(d) of the BNSS, 2023, to the satisfaction of the Judicial Magistrate,



F.C., Motihari, East Champaran, in connection with Madhuban P.S. Case No. 180 of 2025, “subject to the conditions laid down under Section 482(2) of the BNSS, 2023, as well as the following further condition:-

(i) The petitioner shall be released only when she produces substantial proof of the surrender of the husband of the deceased at the time of furnishing the bail bond before the Trial Court.

(Dr. Anshuman, J.)

Aman Kumar/-

U		T	
---	--	---	--

