

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80403 of 2025

Arising Out of PS. Case No.-71 Year-2024 Thana- AWTARNAGAR District- Saran

Gangiya Devi, Wife of Jaynath Mahto R/o Village- Narawn, Landkmark-
Madanpur Bintoli, P.O.- Naraon, P.S.- Awtarnagar, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Basant Kumar Singh
		Mr. Vishesh Kumar Singh
For the Opposite Party/s	:	Mr. Shailendra Kumar- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 209-12-2025
1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 304-B and 201 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is aged about 74 years and is a woman and the informant alleges that his daughter was married to Gajendra about 04 years back, after marriage, the accused persons including the petitioner started torturing her for dowry and also used to assault since she was not conceiving. Further, alleges that the accused persons used to threatened that if money by way of dowry is not paid, then



victim will be killed. It is next alleged that on 25.03.2024, he received an information from a villager that victim has been killed by administering poison, accordingly he reached the place of occurrence and saw the dead body of his daughter lying in the house. Further, by the time he informed the police the accused got the dead body disappeared and ousted him from the house thus alleges that accused persons killed his daughter by poisoning.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case being mother in-law of the deceased. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that allegation of demand of dowry and torture is general and omnibus in nature. It is also submitted that marriage of the victim with the son of the informant was four years old and in these four years, no case ever came to be instituted either by the informant or the deceased alleging torture for dowry. It is further 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 evidence, but then, the dead body was lying in the house and the same was seen by the informant also. It is also submitted that victim died a



natural death, as such, the informant did not approach the police, but after the body was cremated a false case came to be instituted. It is next submitted that the date of occurrence is 25.03.2024 and the informant on 25.03.2024 itself reached the place of occurrence and thereafter alleges that on the same day, he informed the police, but then, from perusal of the FIR, it would manifest that the FIR has been instituted on 26.03.2025 i.e. a day after the occurrence. It is next submitted that it does not appear probable that had the informant informed the police on 25.03.2024 about unnatural death of his daughter, in that event, the police would not have come to the place of occurrence. It is further submitted that cremation takes time, but then, had the informant informed the police, in that event, the dead body could have been recovered from the crematorium even, but then, that was also not done which amply demonstrates that the police was not informed and the informant after participating in the cremation instituted the instant FIR by way of after thought. It is further submitted that petitioner along with her husband are residing separately and were not involved in the day to day activities of the deceased and her husband. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove her innocence.



5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum 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 Awtarnagar P. S. Case No.71 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

vikash/-

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

