

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85496 of 2025

Arising Out of PS. Case No.-254 Year-2025 Thana- BARARI District- Bhagalpur

Punam Devi @ Ponam Devi wife of Late Rajesh Mehtar Resident Of Village-
Makbara Choti, Khanjarpur Ps -Barari. District -Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Md.Najmul Hodda
For the Opposite Party/s :	Mr.Bishweshwar Ram, APP
	Mr. Manoj Kumar Jha, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-12-2025 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 80, 61(2) and 3(5) of the Bharatiya Nyaya Sanhita.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that his daughter was married to Vijay in the year 2018, next alleges that on 23-9-2025 at about 7:35 PM he received an information that his daughter (victim) is lying dead at her matrimonial home, accordingly he reached the place of occurrence and saw the dead body of his daughter and thus alleges that the accused persons including the petitioner killer her.



4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that informant is not an eyewitness and the entire allegation hinges around suspicion. It is further submitted that marriage was nearly seven years old and in these seven years no case ever came to be instituted either by the victim or the informant alleging torture. It is also submitted that even the FIR does not even remotely suggest that accused persons including the petitioner after marriage of the daughter of the informant with Vijay was torturing her for demand of dowry. It is next submitted that the dead body was sent for postmortem and the doctor recorded the cause of death as asphyxia due to ante-mortem hanging. It is further submitted that had the petitioner been involved in the occurrence along with her family members, 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 sent for postmortem for ascertaining the cause of death. It is also submitted that petitioner is a widow sister-in-law (*Nanad*) of the deceased having three children and in a mechanical manner she came to be implicated. It is 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.



5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that the marriage was nearly seven years old and in these seven years no case ever came to be instituted either by the victim or the informant alleging torture.

6. Considering the submissions made by the learned counsel for the petitioner, 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 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 Barari P.S. Case No. 254 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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