

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1848 of 2026

Arising Out of PS. Case No.-260 Year-2024 Thana- POTHIYA District- Kishanganj

Kashmira Khatoon @ Kashmira W/O Mangala @ Mansoor Resident of
village - Goljhar (Nayabasti), P.S- Pothia, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abdul Manan Khan, Advocate
Mr. Vivek Raj, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in Pothia P.S. Case
No. 260 of 2024 dated 07.09.2024, registered under Sections
103(1), 80(2), 61(2) and 3(5) of the Bharatiya Nyaya Sanhita,
2023.

3. As per the FIR, the informant's sister was married
to the petitioner's son about two years prior to the occurrence. It
is alleged that after the marriage, the petitioner and other co-
accused are alleged to have harassed her for demand of dowry.
On 06.09.2024, the informant's sister informed him by the
phone that she was being tortured and threatened with death. On
the next morning, the informant was informed by the petitioner



that his sister had died.

4.Learned counsel for the petitioner submits that the petitioner is innocent and she has been falsely implicated in the present case. It is further submitted that the allegations levelled against the petitioner and other family members are vague, general and omnibus in nature. No specific or overt act has been attributed to the petitioner or other family members. It is further submitted that the deceased and her husband were living separately in mess and worship from the petitioner and, therefore, the petitioner had no concern with the matrimonial affairs or disputes between the deceased and her husband. The petitioner has been named as an accused merely due to her status as the mother-in-law of the deceased. During the course of arguments, learned counsel produced photocopies of the depositions of the prosecution witnesses and submitted that during the trial, altogether seven witnesses have been examined and they have all stated unequivocally that the petitioner herself informed the informant's family about the occurrence. It has further come in evidence that the petitioner remained present in the house at the relevant time whereas, the other family members were not present at the place of occurrence. The petitioner demonstrated fair conduct by promptly apprising the



parents of the deceased of the occurrence. Lastly, it is submitted that the petitioner has been in custody since 08.09.2024 and has no criminal antecedents.

5. Learned Additional Public Prosecutor for the State has opposed the prayer.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Sessions Judge Kishanganj, in connection with Pothia P.S. Case No. 260 of 2024, Sessions Trial No. 226 of 2024.

7. The application stands allowed.

(Khatim Reza, J)

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