

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11726 of 2026

Arising Out of PS. Case No.-245 Year-2025 Thana- BIBHUTIPUR District- Samastipur

Mala Devi Wife of Vishnu Jha @ Bishnu Jha Resident of Ward no. 04,
Sahpur, Chakhabib Sahpur, P.S. - Bibhutipur, Dist. - Samastipur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Keshav Bhardwaj, Adv.

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

3 01-04-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Bibhutipur P.S. Case No. 245 of 2025, F.I.R dated 18.06.2025 registered for the offences punishable under Sections 80, 238 and 3(5) of Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, informant, Shivdani Mishra, filed a written application before the concerned police station alleging that he had solemnized his daughter's marriage with Rajesh Jha about six years ago as per Hindu customs, giving sufficient gifts. After marriage, she went to her matrimonial home where the accused persons allegedly demanded Rs. 2 lakh as dowry. It is further alleged that due to non-fulfillment of the demand, the accused persons murdered



his daughter and caused disappearance of her dead body. Accordingly, the case was registered against the named accused persons.

4. Learned counsel for the petitioner submits that the petitioner is mother-in-law of the deceased, who was living separately in an independent house and petitioner had no knowledge about day-to-day affairs of the deceased and her husband and nothing specific has been alleged against this petitioner and this petitioner is in no way connected with the affairs of the deceased, who is said to be missing from her parental home and later, has been found dead as per allegation, and even the petitioner was never made aware regarding the incident in question. For similar allegation, the brother-in-law of the deceased has already been extended the privilege of anticipatory bail *vide* Cr. Misc. No. 14424 of 2026 by the Co-ordinate Bench and there is a delay of about 4 days in filing the missing report. As per the allegation, the marriage is said to have taken place 6 years ago, rather the same took place 12 years ago.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the fact that the allegations are general



and omnibus in nature and the petitioner was not aware of missing of the deceased and in no way connected with the day-to-day affairs of the deceased and for similar allegation, Co-ordinate Bench has extended the privilege of anticipatory bail to brother-in-law of the deceased, accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Rosera, Samastipur in connection with Bibhutipur P.S. Case No. 245 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two



consecutive dates without plausible reason will entail
cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or
promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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