

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24178 of 2026

Arising Out of PS. Case No.-157 Year-2025 Thana- Benibad District- Muzaffarpur

Indu Devi W/o Late Mahesh Sah R/o Village - Janta Dih, P.S. - Benibad,
District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Hari Kishore Thakur, Advocate
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, APP
For the Informant	:	Mr. Chandna Shekhar Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-04-2026 Heard Mr. Hari Kishore Thakur, learned counsel
for the petitioner, Mr. Bhanu Pratap Singh, learned Additional
Public Prosecutor for the State and Mr. Chandna Shekhar
Anand, learned counsel for the Informant.

2. Petitioner seeks bail who is in custody since
20.11.2025 in connection with Benibad P.S. Case No. 157 of
2025, F.I.R. dated 19.11.2025 for the offences punishable under
Sections 80 and 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant
alleged that the petitioner along with other accused persons
killed his daughter due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and she has falsely been



implicated in the present case merely on the basis that she is mother-in-law of the deceased. From bare perusal of the FIR it appears that there is no specific allegation of assault or overt act against her rather there is general and omnibus allegation against all the accused persons including the petitioner and medical evidence (post-mortem report) does not support the allegation as alleged in the FIR. The police after investigation has submitted charge sheet against the petitioner and the petitioner is in custody since 20.11.2025.

5. The learned Additional Public Prosecutor and learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and medical evidence does not support the allegation as alleged in the FIR, let the petitioner, above named, in the event of 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 Judicial Magistrate-1st Class (East), Muzaffarpur in connection with Benibad P.S. Case No. 157 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. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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