

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23894 of 2026

Arising Out of PS. Case No.-109 Year-2025 Thana- Naya Bhojpur District- Buxar

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Kishori Devi W/o Late Radha Mohan Ojha R/o Vill- Gaighat, P.S.-
Brahampur, Distt- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy, Adv.

For the Opposite Party/s : Mr. Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

4 14-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Naya Bhojpur P.S. Case No. 109 of 2025 dated 04.11.2025 registered for the offence punishable under Section/s 85, 80(2), 3(5) of the B.N.S., 2023.

3. According to the prosecution, the petitioner, in connivance with the other co-accused persons, is alleged to have murdered the deceased, Jyoti Kumari, on account of the non-fulfillment of the dowry demand.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is next submitted that the petitioner is the mother-in-law of the deceased and has been residing separately,



having separate mess and was in no way connected with the day-to-day affairs including the alleged occurrence. It is further submitted that no specific overt act has been attributed to the petitioner rather the same is general and omnibus in nature. It is also submitted that, immediately after the alleged occurrence, the deceased was taken to the hospital by her husband. It is further submitted that the petitioner is a lady of 80 years and is suffering from different old-aged ailments. Lastly, it is submitted that the petitioner has one criminal antecedent in which she is on bail.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and considering the fact that the petitioner is the mother-in-law of the deceased and has been residing separately for more than 6–7 years, maintaining a separate mess and was not connected with the day-to-day affairs and, as also, the fact that the petitioner is a lady of 80 years of age and suffering from different old aged ailments and materials primarily suggests the role of the deceased husband as per case diary called in this case, let the petitioner, above named, be released on anticipatory bail in the event of her arrest or surrender before the court below within a



period of six weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Naya Bhojpur P.S. Case No. 109 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit 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 her 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.

(Ajit Kumar, J)

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