

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35189 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- DURGAWATI District- Kaimur (Bhabua)

Bhagamani Devi, W/o Haricharan Singh, R/o village-Akodhi Mela, P.S. -
Durgawati, Distt. - Kaimur at Bhabua

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Rajani Kant Pandey, Advocate
For the State	:	Mr. Ram Anurag Singh, APP
For the Informant	:	Md. Ashhar Mustafa, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-01-2026 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State duly assisted by

learned counsel appearing for the informant.

2. The accused/petitioner is named in the FIR and
apprehending her arrest in connection with Durgawati P.S.
Case No.61 of 2024 registered under Section 304-B of the
Indian Penal Code.

3. As per FIR, the petitioner along with other co-
accused persons caused death of daughter of informant due
to non-fulfilment of demand of a buffalo.

4. It is submitted by learned counsel appearing for
petitioner that the allegation is completely founded upon
suspicion as admittedly the informant is not the eye witness



of the occurrence. It is pointed out that petitioner being mother-in-law living separately, having no connection otherwise with their daily and domestic affairs. It is pointed out that the daughter of informant was a short tempered lady and out of her temperament, she committed suicide when some altercation took place with her husband. While concluding argument, it is submitted that petitioner is a lady of clean antecedent.

5. Learned APP has opposed the prayer of bail.

6. Mr. Ashhar Mustafa, learned counsel appearing for informant while opposing the prayer of bail submitted that apparently it is not a case of suicide as claimed rather upon postmortem, three fracture injuries were found on cervical and hyoid bone. It is submitted that there is nothing in support of submission that the petitioner was living separately except averment on affidavit. It is also pointed out that the co-accused persons i.e. husband and father-in-law after facing trial, were convicted by the learned trial court for which, an appeal is pending before the Division Bench of this Court.



7. In view of the above-mentioned facts and circumstances and by taking note of fact as petitioner is a lady of clean antecedent and claimed to live separately, accordingly, the petitioner, above-named, in the event of her arrest or surrender in the court below within a period of four weeks, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Kaimur at Bhabua in connection with Durgawati P.S. Case No.61 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short ‘CrPC’)/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short ‘BNSS’).

8. Learned Trial court is directed to conclude the trial expeditiously.

(Chandra Shekhar Jha, J.)

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