

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38853 of 2026**

Arising Out of P.S. Case No.-5. Year-2026. Thana- KASBA. District- Purnia

Mahinur Khatoon @ Mehnur Khatun @ Mehnur Khatoon. W/o Mukhtar Ali @ Md Mukhtar Ali. R/o village- Tinghariya, Mahantbari, Ward no. 25, P.S.- Kasba, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

Mr. Avnish Kumar, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 17-06-2026 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

2. The petitioner is apprehending her arrest in connection with Kasba P.S. Case No. 05 of 2026 registered for the offence(s) under Section(s) 80, 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the informant has alleged that he had married his daughter to Sahabul Haque, and on 06.01.2026, he was informed by his son-in-law that his daughter had committed suicide. It has also been alleged that all the named accused persons including the petitioner used to torture his daughter for non-fulfillment of dowry and the accused persons have connived and committed murder of the daughter of the informant.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely because she happens to be the mother-in-law of the



deceased/daughter of the informant. It has further been submitted that the petitioner has no concern with the family dispute of her son and the allegation of the demand of dowry and torture is not proved by any evidence. It has next been submitted that the husband of the deceased /son of the present petitioner is already in custody. It has lastly been submitted that the petitioner is an old person and carries clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above-named, be released on anticipatory bail, in the event of her arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on her furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Kasba P.S. Case No. 05 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya



Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioner shall be his/her close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his/her bail bonds.

(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he/she has concealed his/her criminal antecedents, the Court concerned shall take necessary steps for cancellation of his/her bail bond. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

sweta/-

(Sourendra Pandey, J)

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