

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36780 of 2026

Arising Out of PS. Case No.-421 Year-2025 Thana- DARIYAPUR District- Saran

Asha Devi S/o Late Tejan Sah R/o Village - Samanchak Bajahiya, P.S. -
Dariyapur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-06-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending her arrest in connection with Dariyapur P.S. Case No. 421 of 2025 registered for the offences punishable under Sections 80 and 3(5) of BNS.

3. As per FIR alongwith co-accused person/ family members alleged to cause death of the sister of the informant due to non-fulfillment of demand of dowry.

4. It is submitted by learned counsel appearing on behalf of the petitioner that FIR categorically speaks that the marriage of sister of informant with son of the petitioner was solemnized nine years before the occurrence, therefore, this



case was wrongly instituted under Section 80 of BNS. It is submitted that the relationship of sister of the informant was not cordial with the son of the petitioner which was the reason of suicide. It is submitted that petitioner being mother-in-law was living separately in the same house and was not connected in any manner with daily and domestic affair of deceased and her husband.

5. Arguing further, it is submitted that upon *post-mortem* no bodily injury was found which is sufficient to suggest that deceased was not assaulted soon before the death. It is also submitted that cause of death was not opined and for same the FSL was reserved the finding of which is still awaiting. Petitioner claimed clean antecedent.

6. Learned APP while opposing the prayer of bail could not disputed the submission that the alleged occurrence took place after nine years of the marriage in term of FIR.

7. In view of aforesaid factual submission and by taking note of fact as alleged occurrence took place after nine years of the marriage, where petitioner being mother-



in-law claims living separately, accordingly petitioner above-named who is a lady of clean antecedent, in the event of her arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned JMFC, Saran at Chapra /concerned Court, where the case is pending in connection with Dariyapur P.S. Case No. 421 of 2025, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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