

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40123 of 2026

Arising Out of PS. Case No.-167 Year-2025 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Nilam Devi Wife of Radhe Mukhiya Resident of Village- Koniya, P.S.-
Kusheshwar Sthan, District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Kanchan Jha, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-06-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending her arrest in connection with Kusheshwar Asthan P.S. Case No. 167 of 2025 registered for the offences punishable under Sections 80(2), 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. As per FIR, petitioner alleged to cause death of the daughter of the informant alongwith other co-accused persons including family members due to non-fulfillment of demand of dowry as raised for a cash of Rs. Two Lakhs and one Refrigerator.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is the mother-in-law, who is living



separately in the same house having otherwise no connection with daily and domestic affairs with the deceased and her husband.

5. It is submitted that the husband of the deceased has already been acquitted by the learned Trial Court through S.Tr. No. 651/2025 (New R. No. 1124/2025) as passed by the court of learned District and Additional Sessions Judge, Biraul, Darbhanga dated 23.02.2026, where during trial, the informant completely negate allegation of any dowry demand.

6. It is submitted that allegation of dowry demand is also appearing very much general and omnibus against the petitioner who is a lady of clean antecedent.

7. Learned A.P.P. for the State, while opposing the prayer for anticipatory bail of the petitioner, submitted that acquittal of husband is of no bearing over the anticipatory bail of the petitioner.

8. In view of the aforesaid factual submissions and by taking note of the fact as the petitioner is the mother-in-law, who claimed to live separately with the deceased and her husband, accordingly, above-named petitioner, who is the lady of clean antecedent, in the event of her arrest/surrender within a period of four weeks from this order, is directed to be enlarged



on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Biraul, Darbhanga/concerned court in connection with Kusheshwar Asthan P.S. Case No. 167 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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