

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43559 of 2026

Arising Out of PS. Case No.-281 Year-2025 Thana- ADAPUR District- East Champaran

Sarita Devi S/o Dinesh Patel Resident of village - Bhediyari Sirisiya Patel
Tola, P.S.- Adapur, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-07-2026 Heard Mr.Abhishek Kumar, learned counsel for the

petitioner and Mr.Upendra Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Adapur P.S. Case No.281 of 2025, dated 24.07.2025 registered for the offences punishable under Section 80,61(2),3(5) of BNS, 2023 and Section 3/4 of D.P.Act.

3. Allegation against the petitioner is that she alongwith other co-accused persons have in furtherance of their common intention committed the dowry death of the daughter of the informant.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. She has falsely been implicated in the present case merely on the ground that



she is mother-in-law of the deceased. Further submits that from a bare perusal of the FIR it appears that there is no specific allegation of any assault, overt-act or demand of dowry attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. Co-accused person, namely, Dinesh Patel, who happens to be the father-in-law of the deceased and husband of the petitioner, has been granted regular bail by this Court vide order dated 19.01.2026 passed in Cr. Misc. No.1894 of 2026 and husband of the deceased, namely Amar Patel, who happens to be the son of the petitioner, is in judicial custody since 27.06.2026.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is no specific allegation rather there is general and omnibus allegation and petitioner is mother-in-law of the deceased and co-accused person, namely, Dinesh Patel, who happens to be the father-in-law of the deceased and husband of the petitioner, has been granted regular bail by this Court, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the



date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Adapur P.S. Case No.281 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS,2023 and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

(Rajesh Kumar Verma, J)

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