

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48535 of 2025

Arising Out of PS. Case No.-133 Year-2024 Thana- NAYA RAM NAGAR District- Munger

Uga Devi W/o- Late Medi Prasad @ Late Medni Yadav @ Medani Prasad
Yadav Village- Warish Tola New Ramnagar PS- Munger, Dist- Munger
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Kumar Paswan, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

4 21-01-2026 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends her arrest in connection
with Nyaram Nagar P.S. Case No. 133 of 2024, registered for
the offences punishable under Sections 80(2) and 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. The marriage of the sister of the informant was
solemnized with the son of the petitioner in the year 2019. For
few years the deceased was kept properly in her matrimonial
home and she also blessed with a son, but later on, the husband
of the deceased started demanding dowry and on account of
non-fulfillment of the same, she was tortured in various ways. It
is alleged that the entire atrocities meted out to the deceased
were also supported by the petitioner, who happens to be



mother-in-law of the deceased.

4. Learned Advocate appearing on behalf of the petitioner submitted that it is surprising that the FIR has been instituted after post-mortem and the cremation of the deceased, although the informant and his family were acquainted with the factum of demand of dowry and torture meted out to her. The husband has already taken into custody and so far the investigation with regard to the petitioner is concerned, the same is still going on. It is lastly contended that be that as it may, the petitioner is an old ailing lady, aged about more than 78 years and only on account of the misdeed of her son, facing threat of incarceration.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submitted at the Bar that till date, regarding the complicity of the petitioner, the investigation is going on; moreover, one of the independent witness whose statement has been recorded in paragraph no. 34 has categorically stated that it is the husband who used to torture and on the date of alleged occurrence, the petitioner was residing with her daughter. The petitioner is said to be a vegetable vendor. However, this fact cannot be ruled out that the deceased was done to death within seven years of the marriage and prior to the occurrence there was a demand of



dowry and, as such, presumption of culpability goes against the petitioner.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the materials collected during the course of investigation, specially the statement of independent witness, besides the fact that the petitioner is a lady and a septuagenarian, let the petitioner above named be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Munger in connection with Nayaram Nagar P.S. Case No. 133 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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