

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67171 of 2025

Arising Out of PS. Case No.-138 Year-2016 Thana- SAHIYARA District- Sitamarhi

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Pawan Devi W/o Shri Ram Babu Singh @ Ram Babu Singh @ Ram Babu
Sinha Resident of Village - Harkesh, P.S. - Sahiyara, District - Sitamarhi
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adv.
Mr. Dinesh Jha, Adv.

For the State : Mr. Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 16-02-2026 Heard Mr. Ramakant Sharma, learned senior counsel for
the petitioner and learned Additional Public Prosecutor for the
State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 341, 323, 307, 498(A)/34 of the
Indian Penal Code and Section 3/4 of the D.P. Act and
subsequently Section 304(B) of the IPC was added.

3. Petitioner along with other accused persons are said
to have committed cruelty and to have burnt the informant after
pouring kerosene oil for non-fulfillment of demand of dowry.

4. Learned senior counsel for the petitioner has
submitted, at the outset, that upon a liberty granted to the
petitioner vide an order dated 14.07.2025 passed by this Court to
surrender and seek regular bail, the petitioner immediately
surrendered and is in custody since 01.08.2025. It is further
submitted that the first information report itself was lodged after a



delay of 8 days and the petitioner being the mother-in-law totally denies the allegation of any dowry demand and torture being meted out to the deceased. As a matter of fact, the deceased died due to accidental fire and this fact has been admitted by the deceased herself by way of her fardbeyan which was recorded on 30.10.2016 before the police in the presence of the treating doctor and the said fardbeyan is Annexure P/3 to the petition. The father of the informant subsequently in collusion of the police got the second statement recorded on 04.11.2016 without any certificate of the right physical and mental condition of the deceased by the doctor. It has also been submitted that in the connected case of the husband of the deceased, the doctor has been examined as P.W.-4 and he has stated in his deposition that he did not notice any smell of kerosene oil from the body of the deceased. Further, the husband of the deceased is already in custody and is facing trial and the petitioner undertakes to cooperate in the trial.

5. Learned APP for the State and the learned counsel for the informant have opposed the application for bail. Learned counsel for the informant has submitted that the first fardbeyan of the deceased is not worth believing and the petitioner has also absconded for a long time and as such, does not deserve the benefit of bail.

6. Taking into consideration the facts and



circumstances and also considering the fact that after the liberty granted by this Court to the petitioner to surrender and seek regular bail, the petitioner immediately surrendered and has remained in custody since 01.08.2025 coupled with the fact that the other co-accused persons have already been granted bail and the husband of the deceased, who is primarily responsible for the welfare of the wife, is already in custody and is also facing trial, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sahiyara P.S. Case No. 138 of 2016.

7. However, the learned trial court is directed to proceed with the case expeditiously and take all endeavours for framing of charges in which the petitioner shall fully cooperate and in case there is any non-cooperation on behalf of the petitioner and delay is caused on account of this petitioner, the learned court concerned shall be at liberty to cancel the bail bonds.

(Soni Shrivastava, J)

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