

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.67694 of 2025

Arising Out of PS. Case No.-183 Year-2025 Thana- DARBHANGA SADAR District-
Darbhanga

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1. Rohit Jha @ Rohit Kumar S/O Vijay Nand Jha R/O Village- Baidehi Nagar, Chapki Parari Laxmi Sagar, P.S- Sadar, District- Darbhanga, Bihar.
 2. Hema Devi W/O Vijay Nand Jha R/O Village- Baidehi Nagar, Chapki Parari Laxmi Sagar, P.S- Sadar, District- Darbhanga, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gauranga Chatterjee, Sr. Adv.
Mr. Anirvan Choudhuri, Adv.
For the Opposite Party/s : Ms. Lakshmi Kant Sharma, APP
For the Informant : Mr. Gajendra Kumar Jha, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

6 23-02-2026 Heard Mr. Gauranga Chatterjee, learned Senior
counsel for the petitioners and learned APP for the State.

2. Learned counsel for the petitioners, at the outset, submits that he is not pressing the bail application on behalf of petitioner no.1 Rohit Jha and hence, he prays to withdraw the application on his behalf with liberty to renew his prayer for bail at an appropriate stage.

3. Permission is accorded.

4. The application is dismissed as withdrawn on behalf of petitioner no.1.

5. The instant application thus, survives only with respect to petitioner no.2.

6. A prayer for bail has been made on behalf of the petitioner no.2 in connection with Darbhanga Sadar P.S. Case no.183 of 2025 registered under sections 103(1), 85 and 3(5) of



BNS, 2023.

7. Allegation in the F.I.R is that all accused persons killed the informant's daughter due to non-fulfillment of demand of dowry.

8. Learned Senior counsel for the petitioner submits that petitioner no.2 has been implicated in the case only for the reason that she happens to be the mother-in-law of the deceased. The present incident has occurred after nine years of marriage, as such, there is no case of presumption against accused persons. Further, the deceased had committed suicide by hanging with her *dupata* and this fact would be amply evident from the postmortem report which indicates the cause of death as Asphyxia due to hanging as also by the details of the ligature marks. Learned counsel for the petitioner has also pointed out paragraph no.13 of the case diary, which is inspection of the place of occurrence, that ligature mark found on the neck of the deceased *prima facie* indicated it to be a case of suicide. In the course of inspection also, the latch of the door from inside the room, where deceased is to said to have died, was broken. Further, in paragraph no.49 of the case diary, the doctor, after seeing the inquest report, was of the opinion that death of the deceased had taken place on account of hanging. Petitioner no.2 has no criminal antecedent and she is in custody since 08.06.2025. She



undertakes to cooperate in the case/trial. Charges have been framed on 27.11.2025, however, no witness has been produced on behalf of prosecution.

9. The application for bail is opposed by learned A.P.P. for the State as also learned counsel for the informant on the ground that inquest report indicates some other injury marks on the body of the deceased and there was an allegation of demand of dowry etc., for which the deceased has been done to death by the petitioner no.2 and another.

10. Taking into consideration the aforesaid facts and circumstances of the case and also considering the fact that petitioner no.2 happens to be the mother-in-law of the deceased, aged about 65 years old having no criminal antecedent, having remained in custody since 08.06.2025, and charges have been framed under Section 108 in addition section 85 of BNS, the petitioner no.2 is directed to be enlarged on bail in connection with Darbhanga Sadar P.S. Case no.183 of 2025 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 concerned where the case is pending/successor Court.

(Soni Shrivastava, J)

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