

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 69345 of 2025

Arising Out of PS. Case No.-123 Year-2024 Thana- SHAHKUND District- Bhagalpur

1. Sarita Devi Wife of Shashikant Nirala @ Shashi Kapoor Mahto, R/o village - Belthu, P.S.- Shahkund, Dist.- Bhagalpur.
2. Rangila Kumar @ Rangila Mahto Son of Shashikant Nirala @ Shashi Kapoor Mahto R/o village - Belthu, P.S.- Shahkund, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 11-02-2026 Heard learned counsel appearing on behalf of the

petitioners and learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused/petitioners apprehending their arrest in

connection with Shahkund P.S. Case No. 123 of 2024 registered

for the offences punishable under Sections 304B, 201 of the

Indian Penal Code and Sections 3, 4 of Dowry Prohibition Act.

3. The allegation against the petitioners including other

named co-accused persons is to cause death of sister of the

informant alongwith other co-accused persons due to non-

fulfillment of demand of dowry, as raised for cash of Rs. 2 lacs.

4. It is submitted by learned counsel appearing on

behalf of the petitioners that the petitioners being mother-in-law



and brother-in-law (*devar*) of the deceased having no connection with daily and domestic affairs of the deceased sister of the informant and her husband. It is submitted that much prior to the occurrence the petitioner being mother-in-law and brother-in-law (*devar*) were living separately with the family of deceased and her husband and, moreover the allegation *qua* demanding dowry is appearing very much general and omnibus in nature just to implicate the petitioners out of relations, as they are the mother and brother of the husband of deceased sister of the informant.

5. Arguing further, learned counsel for the petitioners drawn attention to this Court towards paragraph nos. 56 and 57 of the case diary, where the statement of independent witnesses appears recorded, stating that it was the husband of deceased, namely, Yashwant Kumar who committed mental and physical torture upon her. The allegation of physical assault is also available specifically available against the husband of the deceased. It is submitted that both petitioners are of clean antecedents.

6. Learned APP while opposing the prayer of bail submitted that petitioners alleged to be involved actively in the occurrence.

7. In view of aforesaid factual submissions and by taking note of fact as petitioners are in-laws, facing general and



omnibus allegation *qua* demand of dowry, coupled with the fact that independent witnesses during course of investigation support specific involvement of the husband of deceased only, accordingly, above-named both petitioners, in the event of their arrest or surrender before the learned trial Court, within a period of four weeks of the order, are directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Bhagalpur/concerned Court, where the case is pending in connection with Shahkund P.S. Case No. 123 of 2024 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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