IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81359 of 2026

CNR No. BRHC011054152026

Arising Out of PS. Case No.-145 Year-2026 Thana- BISFI District- Madhubani

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Malti Devi Wife of Ramsewak Sharma @ Ramsewak Thakur R/o Village - Itharwa, P.S.- Bisfi, District - Madhubani.

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Md. Soban Asghar, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

2 25-11-2026 Heard Mr. Md. Soban Asghar, learned counsel for the petitioner and Mr. Nitya Nand Tiwary, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 21.06.2026, in connection with Bisfi P.S. Case No. 145 of 2026, F.I.R. dated 20.06.2026 registered for the offences punishable under Sections 126(2), 115(2), 80, 352, 351(2) and 3(5) of the B.N.S., 2023.

3. Allegation against the petitioner is of committing torture and caused death to the victim due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and she has been falsely implicated in the present case merely on the ground that she is married

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mother-in-law of the deceased. He further submits that it appears from the F.I.R. itself that although the petitioner is named in the F.I.R. but there is no specific allegation of any assault or overt act or demand of dowry against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and husband of the deceased namely, Krishna Sharma who happens to be the husband of the deceased is in judicial custody. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 21.06.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is no specific allegation of any assault or overt act or demand of dowry against the petitioner in the F.I.R. and husband of the deceased who happens to be the son of the petitioner is in judicial custody, let the petitioner, above named, be released 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 learned A.C.J.M., Benipatti, Madhubani in connection with Bisfi P.S. Case No. 145 of 2026, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be

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properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

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

(3) 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 her criminal antecedents, 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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