

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80294 of 2025

Arising Out of PS. Case No.-288 Year-2025 Thana- MOKAMAH District- Patna

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1. Pratima Devi W/o Manoj Paswan Resident of ward No 11, of Village- Mor Paschhim, PS- Mokama, Distt.- Patna
 2. Manoj Paswan S/o Late Gaya Paswan Resident of ward No 11, of Village- Mor Paschhim, PS- Mokama, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Arun, Advocate Mr. Anil Kumar, Advocate Mr. Aditya Pushkar, Advocate Mr. Rajeev Ranjan, Advocate
For the State	:	Mr. Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 19-03-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners who apprehend arrest in connection with Mokama P.S. Case No. 288 of 2025 lodged on 08.07.2025, for the offences punishable under sections 80, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, the F.I.R. has been lodged against three named persons, including the present petitioners. It is alleged that the death of the informant's daughter was caused due to torture and demand of dowry, and that she subsequently consumed poison at the instance of her in-laws.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. It is further submitted that the petitioners are the mother-in-law and father-in-law of the deceased. Learned counsel submits that the marriage between the deceased and the son of the petitioners was solemnized as a love marriage against the wishes of the deceased's family members.

5. It is further submitted that two orders, which are highly relevant to the present case, have been annexed. The first is the order passed by this Court in Criminal Writ Jurisdiction Case No. 731 of 2023 dated 06.10.2023, which was filed by the deceased seeking protection for her husband and her husband's family from her own family. In the earlier case, the husband was granted anticipatory bail vide order dated 10.01.2025 passed in Criminal Miscellaneous No. 62106 of 2024. Learned counsel further submits that, due to fear of the deceased's family, the son of the petitioners fled from the village and started living outside the State. However, after being granted bail, he returned, whereafter the alleged harassment resumed. In this regard, Information Petition (Case) No. 207 of 2025 was filed, which has been annexed as Annexure P-4 to the present application.

6. It is further submitted that since the deceased and her husband (the son of the petitioners) were residents of the



same village, there was constant pressure upon the deceased from her family. She, in turn, allegedly pressured her husband to live outside the State, which he was unwilling to do as he intended to complete his Constable examination. Learned counsel submits that, on the unfortunate day, due to acute pressure from her family, the deceased committed suicide. This is supported by the post-mortem report, which indicates that the cause of death was cardio-respiratory arrest caused by sudden spinal cord injury at the level of C3 and C4; however, the opinion regarding viscera has been reserved.

7. It is further submitted that the petitioners, being the parents of the deceased's husband and residents of the same village as the informant, have been falsely implicated in the present case. It is also submitted that there are criminal cases pending against the petitioners: one case against petitioner no. 1 and five cases against petitioner no. 2; however, all such cases are old, and the petitioners are on bail in each of them.

8. Learned A.P.P. for the State opposes the prayer for bail and submits that the antecedents of the petitioners are not clean. It is submitted that petitioner no. 1 has one criminal case, including a case under the POCSO Act, and petitioner no. 2 has five criminal cases, including a case under the POCSO Act.



9. In response, learned counsel for the petitioners submits that the said POCSO case was instituted by the same girl who later became the daughter-in-law of the petitioners.

10. In the facts and circumstances of the case seeing Annexure P2, the order dated 06.10.2023 passed in Criminal Writ Jurisdiction Case No. 731 of 2023 and P4 i.e. as well as the post-mortem which indicates cause of death was cardio-respiratory arrest caused by sudden spinal cord injury at the level of C3 and C4, let the above-named petitioners be released on bail, in the event of their arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30,000/- (Rupees Thirty Thousand only) each, as mentioned in Section 2(1)(d) of the *Bharatiya Nagrik Suraksha Sanhita, 2023*, to the satisfaction of the **Additional Chief Judicial Magistrate-III, Barh, in connection with the aforementioned case**, subject to the conditions as laid down under Section 482(2) of the *Bharatiya Nagrik Suraksha Sanhita, 2023*.

11. The bail bonds of both the petitioners shall be accepted only upon production of valid proof to the satisfaction of the Court that they are not absconding in any of the cases mentioned in paragraph no. 3 of the petition, as detailed below:



Petitioner No. 1:

(i) Mokama P.S. Case No. 98 of 2022

Petitioner No. 2:

(i) Mokama P.S. Case No. 180 of 1997

(ii) Mokama P.S. Case No. 200 of 2000

(iii) Mokama P.S. Case No. 207 of 2002

(iv) Mokama P.S. Case No. 280 of 2018

(v) Mokama P.S. Case No. 98 of 2022

(Dr. Anshuman, J)

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