

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85530 of 2025

Arising Out of PS. Case No.-940 Year-2024 Thana- FATUA District- Patna

Fulan Devi S/O Depu Kumar R/O Vill.- Pitambarpur, P.S- Fatuha, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhagya Narayan Jha

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-01-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered
for the offences punishable under Sections 108 and 3(5) of the
Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a woman and the
informant alleges that his daughter was married to Shankar about 10
years back and out of wedlock, two daughter and two sons were
born, further her husband later became a drunkard and started
torturing the victim for dowry of Rs. 1 lakh along with the accused
persons, next alleges that two years back an attempt was made by
Diwali Kumar and the petitioner to kill the victim, further 21-12-
2024 the informant came to know that victim has committed suicide,
accordingly he reached the place of occurrence and saw the dead



body of his daughter lying outside the house.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that informant is not an eyewitness to the occurrence, as such the entire allegation hinges around suspicion. It is further submitted that marriage of the victim with Shankar was performed ten years ago and out of the wedlock, four children were born. It is also submitted that in these 10 years, no case ever came to be instituted alleging demand of dowry and torture at the hand of the petitioner and other family members. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that informant himself alleges that Shankar had become a drunkard, it is further submitted that since husband of the victim became a drunkard, as such their relationship deteriorated and out of frustration the victim committed suicide. It is submitted that whenever any dispute arises in between the husband and the wife and the occurrence of the nature as alleged takes place, the entire family members are implicated in a mechanical manner with general and omnibus allegation. It is next submitted that petitioner being sister-in-law (gotni) came to be implicated. It is further submitted that though it is alleged that Diwali along with petitioner tried to kill the victim earlier, but then no case came to be instituted, which amply demonstrates that the said allegation was alleged only to give seriousness to the case. It is also submitted that had the petitioner



been involved in the occurrence, in that event, efforts would have been made to dispose of the dead body with a view to conceal evidence, but then the dead body was lying in the house and was sent for postmortem for ascertaining the cause of death.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Fatuha P.S. Case No. 940 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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