

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85550 of 2025

Arising Out of PS. Case No.-737 Year-2025 Thana- SIKARPUR District- West Champaran

Krishnawati Devi @ Krishna Sah Wife of Late Amerika Sah R/o Village - Narkatiaganj, Police Station - Gaunaha, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brij Kishor Mishra, Advocate
For the Opposite Party/s	:	Mr. Satyendra Prasad, APP
For the Informant	:	Mr. Umesh Chandra Verma, Advocate
		Mr. Hemant Ray, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 29-01-2026 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the informant.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 80, 238 and 3(5) of the BNS, 2023

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that his daughter was married to Nitesh on 07.03.2025, after marriage, the husband along with accused persons including the petitioner started torturing the victim for non-fulfillment of dowry demand of a motorcycle and a gold chain, further the informant on 10.07.2025 went to the house of



accused persons for bringing the victim back to her parental home, but accused persons asked him to take her back on 18.07.2025, next alleges that informant called the victim on 17.07.2025, but he was informed by Shatrudhan that victim has gone to Patna with her husband who became ill, further on 19.07.2025, the son of the informant went to meet his sister, but could not find her, thus went to the spare part shop of Nitesh who fled on seeing his son without disclosing about the victim, thereafter his son went to the matrimonial house of the victim on rent, but saw the house was locked from outside and no one was present, thus, alleges that his daughter has been killed and dead body disposed of.

4. Learned counsel for the petitioner submits that petitioner, being mother-in-law of the deceased, has been falsely implicated in the instant case by the informant, it is next submitted that informant is not an eye witness to the occurrence, as such, the entire allegation hinges around suspicion. It is also submitted that no doubt the marriage of the daughter of the informant with Nitesh was performed on 07.03.2025 and as such the death took place within seven years of marriage hence there is a presumption in law against the husband of the deceased and his family members, but then all deaths are not



dowry deaths. It is also submitted that though there is allegation of demand of dowry, but then the same is also general and omnibus in nature. It is next 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 allegations. It is also submitted that petitioner is a senior citizen and is under treatment at Medanta hospital for her arthritis issue since 2024 and thus is not in a position to walk comfortably even.

5. Learned A.P.P. for the State as well as the learned counsel appearing on behalf of the informant vehemently opposes the anticipatory bail application of the petitioner. The learned counsel appearing on behalf of the informant submits that what is not in dispute rather stands admitted is that daughter of the informant was killed within seven years of marriage. It is also submitted that the dead body was disposed of with a view to conceal evidence regarding death. It is next submitted that it does not appear probable that the husband alone would have disposed of the dead body of his wife after her death without the help of his family members, which amply demonstrates the involvement of the accused persons including the petitioner, but



then is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that petitioner is a senior citizen and is under treatment at Medanta hospital since 2024.

6. At this stage, the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove her innocence.

7. After hearing the learned counsel for the parties and taking into consideration the fact that petitioner is a senior citizen and is an ailing lady, as would manifest from the medical report of hospital annexed with supplementary affidavit, 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. 25,000/- (Rupees Twenty Five 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 Shikarpur P.S. Case No. 737 of 2025 subject to the conditions as laid down under Section 482 (2) of BNSS.

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite



giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

9. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

10. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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