

In the Court of Sessions Judge, East Champaran at Motihari

Present:-

Abhishek K. Das,
Sessions Judge,
East Champaran at Motihari

Bail Petition No.497 of 2026

1. Kismati Devi @ Kailashi Devi @ Shanti Devi, W/o- Ram Nath Sahani, aged about 72 years,
Resident of village- Kubra Ward No.07, P.S.- Harsidhi, District- East Champaran
----- Petitioner

Versus

The State of Bihar ----- Opposite party.

Counsel for the Petitioner :- Sri Md. Mustaqim Khan, Advocate.
Counsel for the State :- Sri Khublal Prasad, Public Prosecutor.

10-03-2026

This is a bail petition filed on behalf of the above-named petitioner-accused, who is in custody since 28-01-2026 in connection with Harsidhi P.S. Case No.603 of 2025 for the offences U/S 85, 80(2), 103(1) and 3(5) of the B.N.S.

The prosecution case, in brief, is that the elder daughter of informant, namely, Ganita Devi was married with Ranjeet Sahani seven years ago. After four years of marriage, all the accused persons including the petitioner started demanding Rs.2,00,000/- and Bullet Motorcycle from the daughter of informant and due to non-fulfillment of said demand, accused persons assaulted and ousted her from her matrimonial house. Thereafter, informant tried to pacify the matter and sent her daughter to her matrimonial house. In the night of 28-08-2025, the informant came to know that due to non-fulfillment of demand of dowry, all the accused persons have committed murder of her daughter by hanging or throttling her.

In para-2 of the bail petition, it is mentioned that no other bail petition of any kind on behalf of the petitioner has ever been filed either in this Court or before the Hon'ble High Court, Patna. In para-3 of the bail petition, it is mentioned that petitioner has no criminal antecedent and in para-4, it is mentioned that petitioner is in custody since 28-01-2026.

The learned counsel for the petitioner-accused has submitted that this petitioner-accused is innocent and she has committed no offence, as alleged and has falsely been implicated in this case. It is further submitted that the deceased has committed suicide and there is no evidence against the petitioner. After knowing the truth, the informant has compromised the case and a compromise petition has been filed with this bail petition. On these basis, it is prayed to allow this bail petition.

The learned Public Prosecutor I/C appearing on behalf of the State has opposed the prayer for bail of this petitioner-accused on the basis of materials available in the case diary.

Heard both sides and perused the certified copy of F.I.R. as well as case diary. As per F.I.R., there is allegation that due to non-fulfillment of demand of dowry, petitioner and others have committed murder of daughter of informant by hanging or throttling her. The informant in her re-statement vide para-3 of the case diary has corroborated the version of F.I.R. The witnesses vide para-7 and 8 of the case diary 7 of the case diary has stated that on commotion they went to the house of Ranjeet Sahani and found the deceased Ganita Devi hanging. As per post-mortem report, as mentioned in para-15 of the case diary, the cause of death is Asphyxia due to strangulation. In para-63 of the case diary, the informant in her statement and witness vide para-64 of the case diary have stated that later on they came to know that on the date of occurrence, some quarrel took place between their daughter (deceased) and Ranjeet Sahani, and in rage she hanged herself. As per para-79 of the case diary, petitioner has no criminal antecedent and as per para-80 of the case diary, investigation of the case is still going on. As per post-mortem report, cause of death is asphyxia due to **strangulation**.

Considering all these facts, as discussed above and keeping in view the nature of allegation and materials available in the case diary, I am not inclined to enlarge the petitioner-accused on bail. Accordingly, the prayer for bail of petitioner-accused **Kismati Devi @ Kailashi Devi @ Shanti Devi** stands **rejected**.

(Dictated)

Sd/-

Sessions Judge
East Champaran at Motihari
10-03-2026