

**IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-V,**

**MOTIHARI, EAST CHAMPARAN**

**ANTICIPATORY BAIL APPLICATION NO. : 1383/2026**

Present:  
Rajendra Kumar Sinha  
D.A.S.J.-V, Motihari

***IN THE MATTER OF:***

Sarita Devi aged about 48 yrs.

W/O Dinesh Patel

R/O Vill.- Bhedyari Sirisiya, Patel Tola, PS- Adapur,

Distt- East Champaran

----Accused/Petitioner

Vs

State of Bihar

----Opposite Party

P.S.- Adapur

PS case No. 281/25 dated 24-07-25

Offences u/s- 80, 61(2), 3(5) B.N.S. & 3/4 D.P. ACT

District: East Champaran

Ld. Counsel for State →

A.P.P. Sri S. C. Prasad Yadav

Ld. Counsel for applicant →

Sri Kumar Pankaj

**ORDER**

**23-04-26**

1. Vide this order, anticipatory bail application u/s 482(i) B.N.S.S. filed by the petitioner above named dated 11-03-26 is being disposed off.

2. Briefly stated the prosecution story in nutshell is that informant has married his daughter on 26-02-20 with one Amar Patel as per Hindu Rituals but soon after the marriage the accused persons started torturing and ill-treating his daughter for demand of land at Motihari as well as a motorcycle as dowry and finally on 22-07-25 they killed his daughter, hanged her with the ceiling fan and fled away from their house for non-fulfillment of dowry.

3. Submitting the point learned counsel for the defence argued that the petitioner has filed no bail application in any court in connection with the present case, the petitioner is of clean antecedent, quite innocent and has committed no offence as alleged rather been falsely been implicated in this case due to malice intention and grudge. It was further

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argued that the petitioner is the mother-in-law and happens to reside separately and in reality the deceased being short tempered lady does not wish to reside in village and has committed suicide by hanging herself. It was argued that there is no specific allegation against the petitioner and with intent to extort money, after the death of deceased the informant has filed this false case. It was further submitted that the petitioner is a old aged women and accordingly prayer for anticipatory bail was made.

4. Ld. Addl. P.P. for the state very vehemently opposing the bail application submitted that allegations against the petitioner is serious in nature and the death has occurred within seven years of the marriage and prima-facie material indicates harassment to the deceased for demand of dowry.

5. I have heard both the sides and gone through the case record and the case diary.

6. At this stage, it may be noted that there is a case of dowry death, the deceased died under unnatural circumstances within seven years of her marriage. There is specific allegation of demand of dowry against the petitioner resulting tortured to the deceased. Case is under investigation and custodial interrogation may be required for procuring evidence in the case. Nature of allegations against the petitioner are of heinous in nature and at this outset, it must be made distinctly clear that some very compelling circumstances must be made out for granting pre-arrest bail to a person accused of offences as alleged and that too when the investigation is in progress and if such an order is allowed to stand, faith of public in administration of justice is likely to be considerably shaken. Therefore, this court has no option but to reject the application of petitioners of granting them anticipatory bail.

7. In view of the aforesaid facts & circumstances discussed above, taking into account the seriousness of the offence as alleged, where custodial interrogation may be needed and also the case being at its initial stage, the court is not inclined to grant any relief, whatsoever it may be, to the petitioner and accordingly, prayer for anticipatory bail of the petitioner namely Sarita Devi is hereby **rejected**.

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8. It is further clarified that observations made in the present anticipatory bail application order are for the purpose of deciding of present application and do not affect the factual matrix of the investigation/trial of the present case which is separate issue as per law.

9. Let, this order be sent to the concern court and file be consigned to the record room after return of documents/materials submitted; if any; to the parties as per provisions.

Sd/-

(RAJENDRA KUMAR SINHA)

A.D.J. -V, Motihari