

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53012 of 2024

Arising Out of PS. Case No.-1575 Year-2023 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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1. Rakesh Kumar @ Rakesh Kumar Yadav Son Of Rajnath Yadav @ Munna Yadav Resident Of Village - Belauti, P.S. - Sahpur, District - Bhojpur At Ara
 2. Subhadra Devi Wife Of Rajnath Yadav @ Munna Yadav Resident Of Village - Belauti, P.S. - Sahpur, District - Bhojpur At Ara
 3. Sugandhi Kumari @ Suganta Kumari Daughter Of Rajnath Yadav @ Munna Yadav Resident Of Village - Belauti, P.S. - Sahpur, District - Bhojpur At Ara
 4. Mukesh Kumar @ Ankesh Kumar Son Of Rajnath Yadav @ Munna Yadav Resident Of Village - Belauti, P.S. - Sahpur, District - Bhojpur At Ara

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a complaint case punishable for the offence under Sections 304(B)/ 201 / 34 of the Indian Penal Code.

3. As per the prosecution case, all the F.I.R. named accused persons including these petitioners committed the murder of sister of the complainant/opposite party no. 2 due to non-fulfillment of demand of dowry.

4. Petitioner no. 1 is husband, petitioner no. 2 is



mother-in-law, petitioner no. 3 is sister-in-law and petitioner no. 4 is brother-in-law of the deceased. Learned counsel for the petitioners that sister of the complainant was married with petitioner no. 1 on 23.05.2019 and out of the wedlock, two children were born and both were leading happy conjugal life. Petitioners have committed no offence, as alleged by the complainant in the complaint petition. As a matter of fact, the deceased was suffering from various ailment and as such, she died in course of treatment. Learned counsel further submits that this complaint was lodged after a delay of 17 days. Prior to this complaint case, father-in-law of petitioner no. 1 had given written report /Sanha in the Shahpur Police Station (Annexure '2') stating therein that her daughter died during course of treatment and as such, they refused to conduct *post-mortem* examination of the deceased.

5. However, learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of petitioners and submits that it is a case of 'dowry death' and there is specific allegation against petitioners, particularly petitioner no. 1, of committing torture due to non-fulfillment of demand of dowry. Deceased died in an unnatural circumstances within seven years of marriage at her matrimonial house.



6. Considering the same, the prayer for anticipatory
bail of petitioners is rejected.

(Prabhat Kumar Singh, J)

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