

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3266 of 2025

Arising Out of PS. Case No.-1345 Year-2015 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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1. Pramila Devi W/O Ram Dayal Rai R/O Vill.- Naya Tola Pakri, P.S.- Bidupur, Dist.- Vaishali
 2. Ram Dayal Rai S/O Late Anoop Rai R/O Vill.- Naya Tola Pakri, P.S.- Bidupur, Dist.- Vaishali
 3. Ravi Ranjan Kumar @ Ravi Ranjan Rai S/O Ram Dayal Rai R/O Vill.- Naya Tola Pakri, P.S.- Bidupur, Dist.- Vaishali
 4. Pinki Devi W/O Bipin Rai R/O Vill.- Naya Tola Pakri, P.S.- Bidupur, Dist.- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Indu Devi Wife of Kishundeo Singh R/O Vill.- Rahimpur, P.S.- Bidupur, Dist.- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Yogesh Chand Verma, Sr. Advocate
	:	Mr.Ashok Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr.Uday Chand Prasad, APP
For O.P. No. 2	:	Mr.Vinay Kumar Mishra, Advocate
	:	Mr.Rajesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 20-02-2025 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Complaint case no. 1345 of 2015, disclosing offences punishable under Section 304B, 201/34 of the Indian Penal Code.
3. The prosecution story, as per the allegation made



in the complaint, is that complainant's daughter Nitu Kumari was married with co-accused Rajeev Kumar in the year 2009. After some time, the petitioners along with other accused persons started demanding dowry in the form of motorcycle, colour T.V. etc. and when the deceased protested, she was subjected to torture and cruelty by the petitioners and others due to non-fulfilment of the demand for dowry. It is alleged that complainant's/ informant's daughter and her son were murdered and dead bodies were concealed.

4. Learned Senior Counsel for the petitioners submits that on the basis of similar allegation, Bidupur PS Case No. 53 of 2011 was lodged regarding murder of the informant's daughter and his maternal grandson by the petitioners and others. After lapse of more than three years of lodging of the First Information Report bearing Bidupur PS Case No. 53 of 2011, Bidupur Police, Vaishali (Bihar), Police came to know about the suicide of a lady namely Nitu Kumari, w/o Rajeev Kumar, co-accused/ husband at Delhi. The parents of the deceased was informed telephonically by the Delhi Police but they refused to take her body and did not go to Delhi. One child aged about 04 years namely Ayush Kumar was also recovered by the Delhi Police. Learned



counsel further submits that another F.I.R. bearing Bidupur PS Case No. 70 of 2011 lodged by the side of the petitioners against the family members of the deceased, alleging that deceased was forcefully taken by them in a deceitful manner and they are not disclosing the whereabouts of the deceased. He also submits that after receipt of the information by the Delhi Police on 29.05.2014, Bidupur Police in case no. 53 of 2011 submitted final form exonerating the petitioners and others on 31.08.2014, which was accepted by learned Magistrate on 21.04.2015. The protest petition was filed on 24.03.2011, which has been converted into complaint case no. 1345 of 2015 and the learned Magistrate has taken cognizance against the petitioners and others on 10.08.2022 under Sections 304B, 201/34 of the Indian Penal Code. In the F.I.R. lodged by the side of the petitioners bearing Bidupur PS Case No. 70 of 2011, Police submitted charge-sheet on 30.06.2021 under Sections 366, 366A, 302/34 of the Indian Penal Code against accused Manjay Rai.

5. On the other hand, learned counsel for the complainant/ opposite party no. 2 opposed the prayer for anticipatory bail and submits that the learned Magistrate has arrived at a conclusion that there is a prima facie case against



the petitioners and has taken cognizance under Section 304B, 201/34 of the Indian Penal Code, as such the petitioners do not deserve the privilege of anticipatory bail.

6. I have heard learned counsel for the parties and perused the materials on record. It appears that F.I.R. bearing Bidupur PS Case No. 53 of 2011 was lodged by the informant alleging the dowry death of her daughter. After about three and half years of the lodging of the F.I.R., the deceased i.e. daughter of opposite party no. 2 was found hanging in a flat at Delhi and her son was also recovered by the Police, who had found that she had committed suicide whereas in the F.I.R. lodged against the petitioners, the allegation was that she was killed in 2011 for demand of dowry by the petitioners and others, which creates contradiction.

7. Considering the aforesaid facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners.

8. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M.1st class, Hajipur at Vaishali



in connection with Complaint case no. 1345 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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