

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12684 of 2025

Arising Out of PS. Case No.-246 Year-2024 Thana- AWTARNAGAR District- Saran

1. Shail Kumari Kunwar @ Shail Kumari S/o- Late Rajkumar Manjhi Village- Bara Gopal Police Station- Awatarnagar, Dist- Saran at Chapra
2. Sujeet Kumar @ Sujeet Manjhi S/o- Late Rajkumar Manjhi Village- Bara Gopal Police Station- Awatarnagar, Dist- Saran at Chapra
3. Gorakh Kumar @ Niraj Kumar S/o- Late Rajkumar Manjhi Village- Bara Gopal Police Station- Awatarnagar, Dist- Saran at Chapra
4. Vikram Kumar @ Ajit Kumar S/o- Late Rajkumar Manjhi Village- Bara Gopal Police Station- Awatarnagar, Dist- Saran at Chapra
5. Dhiraj Kumar S/o- Late Rajkumar Manjhi Village- Bara Gopal Police Station- Awatarnagar, Dist- Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dharmvir Paswan @ Dharmvir Ram S/o- Late Shankar Manjhi Village- Mirzapur Ps- Sonapur Dist- Saran at Chapra

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shrinath Manjhi
For the Opposite Party/s : Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 20-08-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Awatar Nagar Police Station Case No. 246 of 2024, disclosing offences under Sections 304B, 201 of the Indian Penal Code.
3. As per the FIR-cum-complaint petition, the marriage of the informant's sister was solemnized with the co-accused Biru Manjhi on 26.10.2018. After the marriage, the



accused persons, including the petitioners, started demanding motorcycle as dowry and due to non-fulfillment of the demand, the deceased was being tortured mentally as well as physically. It has further been alleged that from the wedlock between the deceased and the co-accused Biru Manjhi, three children were born out of which two are girl child and one is a boy. On 18.08.2023, in the morning, at about 9 O'Clock, the informant got the information from the villagers that the petitioners and other accused persons has killed his sister (deceased) and concealed the dead body.

4. Learned Counsel for the petitioners submits that petitioner no. 1 is mother-in-law of the deceased and petitioner no. 2, 3, 4 and 5 are brothers-in-law of the deceased. There is delay in lodging the FIR-cum-complaint inasmuch as the occurrence has taken place on 18.08.2023 but the complaint has been filed on 04.10.2023 after delay of about two months. The dead body was not recovered during course of investigation and post-mortem was not done. During course of investigation, no material has come against the petitioners to connect them with the present occurrence. The statement of witness was recorded during course of investigation and in Paragraph 7, the grandmother of the accused i.e., husband of the deceased has



stated that the deceased was suffering from seizure and on the date of occurrence, she left home in order to attend nature's call leaving behind her twenty one days son. When the family members started searching the deceased, they got the information from the villagers that the body parts of the deceased was scattered near the railway line. When the family members of the deceased were informed, they arrived and after panchayati, the matter was closed. The story behind demand of dowry and torture is concocted and false.

5. On the other hand, learned counsel for the State submits that in the FIR there is allegation against the petitioners, the petitioners are the family members of the deceased and deceased has died in her matrimonial home within seven years of marriage.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there is delay in lodging the complaint-cum-FIR, the dead body was not recovered by the police during investigation and the petitioners are in-laws of the deceased, I am inclined to grant the petitioners privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioners, above named, in the event of



their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Judicial Magistrate, Saran at Chapra, in connection with Awatar Nagar Police Station Case No. 246 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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