

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.8182 of 2025

Arising Out of PS. Case No.-261 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

- 1. Punam Devi Wife of Sri Kishore Giri Resident of Village - Singhasini, P.S. - Baikunthpur, District - Gopalganj
- 2. Sri Kishore Giri Son of Late Kapildev Giri Resident of Village - Singhasini, P.S. - Baikunthpur, District - Gopalganj
- 3. Rajnandni Kumar @ Raj Nandani @ Bhagya Laxmi Kumari Daughter of Sri Kishore Giri Resident of Village - Singhasini, P.S. - Baikunthpur, District - Gopalganj
- 4. Raj Kumar Giri @ Raja Kumar Giri @ Raja Giri Son of Sri Kishore Giri Resident of Village - Singhasini, P.S. - Baikunthpur, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 8568 of 2025

Arising Out of PS. Case No.-261 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

Manjit Giri @ Manjit Kumar Giri Son of Kishore Giri village- Singhasini, Ps- Baikunthpur, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 8182 of 2025)
For the Petitioner/s : Mr. Kunal Tiwary
For the Opposite Party/s : Mr. Prem Kumar Jha
(In CRIMINAL MISCELLANEOUS No. 8568 of 2025)
For the Petitioner/s : Mr. Kunal Tiwary
For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER



- 3 14-05-2025
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 Baikunthpur Police Station Case No. 261 of 2024, dated 09.08.2024, disclosing offences under Sections 126(2)/103/80/115(2)/3(5) of the Bhartiya Nyaya Sanhita.
 3. The prosecution case, as per the First Information Report, is that the informant's daughter, namely, Muskan Kumari, was married to Manjeet Giri on 21.04.2024. After the marriage, Muskan was allegedly harassed by her husband and her in-laws, who pressurised her to have illicit relations with white collar and influential men and demanded Rs. 2 lakhs as dowry. She was also subjected to physical torture. On 08.08.2024, the informant received information about her daughter being assaulted and tortured by the petitioners. When informant visited with her son, she found that her daughter was locked in a room and on request informant was allowed to see her daughter, who was found with visible injuries on her whole body. Upon asked by the informant to take her daughter with her, the petitioners refused and allegedly incited others to kill informant's daughter. It has further been alleged that



the informant has witnessed her daughter being strangled to death by the petitioners and was threatened with dire consequences, if she approached the police.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case on the basis of false and fabricated story. There is general and omnibus allegation against the petitioners. He next submits that the informant's daughter has committed suicide in depression as she was forcefully married to the petitioner of Cr. Misc. No. 8568 of 2025 against her will as the deceased was in love with one Bunty Yadav with whom the deceased had eloped on 10.08.2023, for which, Dumariya Ghat Police Station Case No. 235 of 2023 was lodged by the informant. After about one year the deceased was married to the petitioner of Cr. Misc. No. 8568 of 2025. He further submits that the deceased in her statement recorded under Section 164 of the Code of Criminal Procedure has disclosed her age as 18 years and has stated that she wanted to go the house of Bunty, which would be evident from Annexure-3. Referring to the case diary, learned counsel submits that the informant in her re-statement, recorded in paragraph-27 of the case



diary, has differed with the version of prosecution story and has stated that the deceased was regularly tortured and assaulted by the petitioners for dowry and when she tried to take her daughter home, they demanded Rs. 6,00,000/-. The deceased informed the informant that she was being assaulted by the petitioners via video call. Later, the informant was informed by the petitioners that her daughter has died and was being taken to Dighwa-Dubouli. When the informant, along with her son, reached the petitioners' house, the deceased was found dead hanged by a saree, which goes to show that the allegations against the petitioners are false and fabricated. In the postmortem report it has come that the cause of death of the deceased is due to hanging and no external injuries/marks have been found on the deceased as contained in paragraph-41 of the case diary.

5. On the other hand, learned counsel for the informant vehemently opposes the prayer for bail and submits that the deceased was continuously harassed and mentally tortured by the petitioners, who neither provided medical care nor took any steps to address her depression. Instead, they exploited her to fulfill their political motives and to



extort money from the informant, given the poor health of the informant's husband. He next submits that the FIR was initially lodged under relevant sections of the BNS, 2023, based on prima facie evidence of murder, but was later wrongly converted into a case of suicide under the influence of the petitioners, who have family members in the police, thus, the petitioners' claims of suicide are fabricated and cleverly crafted to evade justice.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that during investigation it transpires that the deceased has committed suicide and no external injury is apparent on the dead body 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) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Gopalganj, in connection with Baikunthpur Police Station Case No. 261 of 2024, subject



to the condition laid down under Section 482 (2) of the
Bhartiya Nagrik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J)

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