

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10419 of 2025

Arising Out of PS. Case No.-390 Year-2024 Thana- MUFFASIL District- West Champaran

Sunil Prasad @ Sunil Raut Son of Late Jhakahd Raut Resident of Village-
Barwat Parsain, PS- Bettiah (Muffasil), Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla

For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 27-03-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Bettiah (Muffasil) Police Station Case No. 390 of 2024, dated 18.07.2024, disclosing offences under Sections 80(2)/238(a)/3(5) of the of the Bhartiya Nyaya Sanhita.
3. The prosecution case, as per the First Information Report, is that the informant married his daughter-Pinki Kumari to Ravi Prasad, who is the son of the petitioner, on 26.02.2018 and out of the wedlock two children were born. On 17.07.2024, at about 09:00 PM, in the night, the informant came to know that his daughter has been killed by her husband and his family members and her dead



body has been cremated. When the deceased's father went to the house of deceased in-laws and asked about the incident, the accused persons left the house and switched-off their mobile phones. The whereabouts of children were also unknown. It has further been alleged that previously also the accused persons assaulted the deceased due to demand of dowry.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he falsely been implicated in the present case only because he happens to be father-in-law of the deceased. He next submits that after the marriage the deceased and the petitioner's son lived separately in mess and property and they have no concern with the family affairs. There is no specific allegation against the petitioner either of demand of dowry or of committing any torture or cruelty.
5. I have heard learned counsels for the parties and perused the materials available on record.
6. From perusal of the impugned order, it appears that within six years of marriage the deceased has died in her matrimonial home. The nature of the death is not



important whether it is homicidal, suicidal or accidental, but the fact is that deceased has died an unnatural death within 06 years of her marriage. The anticipatory bail application of the deceased's mother-in-law and brother-in-law have been rejected by a Co-ordinate Bench of this Court in Cr. Misc. No. 78557 of 2024. There is presumption against the accused persons under Sections 104 and 113 of the Bharatiya Sakshya Adhiniyam, 2023. The petitioner is father-in-law and there is allegation against him that he, alongwith others, demanded dowry from the deceased. Considering, the aforesaid and gravity of offence, I am not inclined to grant the petitioner the privilege of anticipatory bail.

7. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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