

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16047 of 2025

Arising Out of PS. Case No.-65 Year-2024 Thana- MAHNAR District- Vaishali

1. Pramila Devi W/o- Ramchandra Rai Resident of Village- Ishahakpur PS- Mahnar, Dist- Vaishali
2. Nibhiya Kumari @ Niviya Kumar @ Nibha Kumari W/o- Santosh Rai Resident of Village- Pyarepur PS- Paroti, Dist- Samastipur
3. Jaswant Rai @ Vikash Kumar S/o- Ramchandra Rai Resident of Village- Ishahakpur PS- Mahnar, Dist- Vaishali
4. Sita Kumar @ Ratanjay Kumar S/o- Ramchandra Rai Resident of Village- Ishahakpur PS- Mahnar, Dist- Vaishali
5. Pintu Kumar @ Tinku Kumar S/o- Ramchandra Rai Resident of Village- Ishahakpur PS- Mahnar, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 13-05-2025 Heard the learned Advocate for the petitioners and the learned APP for the State.

2. At the outset, learned Advocate for the petitioners submit that during the pendency of the bail application, petitioner no. 1 (Pramila Devi) is arrested and he is not pressing the bail application on her behalf.

3. Permission is accorded.

4. In view, thereof, the present bail application stands dismissed in respect of petitioner no. 1 (Pramila Devi).



5. The petitioner nos. 2-5 are apprehending their arrest in connection with Mahnar P.S. Case No. 65 of 2024, registered for the offences punishable under Sections 304(B) and 201/34 of the Indian Penal Code.

6. Based upon the written report, the prosecution alleges that the marriage of the daughter of the informant was solemnized three years ago; soon after the marriage she was subjected to demand of dowry and on account of non fulfillment of the same, she was tortured in various ways and finally she was done to death by all the accused persons.

7. Learned Advocate for the petitioners contended that the petitioners are none else but the brother-in-law and sister-in-law of the deceased and in fact they don't have any concern with the affairs of husband and wife. In fact, the deceased died on account of cardiac arrest and thereafter, cremation was done in presence of the family members of the deceased. But later on, on instigation made by some unscrupulous person, the present FIR came to be lodged. However, realizing the fact of false implication, good sense prevailed upon the informant and she filed an application before the jurisdictional Court stating about the innocence of the petitioners and admitted the deceased died on account of cardiac arrest and she had participated in the



cremation. Further submissions has been made that the husband of the deceased is pursuing his remedy for anticipatory bail before the Court below and all the family members shall also abide by the terms and conditions of the Court and fully co-operate in the proceedings.

8. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the deceased died within three years of the marriage and soon before the marriage, there was a demand of dowry and, as such, the dowry death cannot be ruled out.

9. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioners are brother-in-law and sister-in-law of the deceased, coupled with the omnibus nature of allegation and the petition filed by the informant before the jurisdictional Court as has been disclosed hereinabove, let the **petitioner nos. 2-5** above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) **each** with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Vaishali at Hajipur in



connection with Mahnar P.S. Case No. 65 of 2024, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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