

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14346 of 2025

Arising Out of PS. Case No.-7 Year-2024 Thana- Sonki District- Darbhanga

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Gato Lal Deo S/O Late Devkant Lal Deo R/O Vill.- Dekuli Chatti, P.S- Sonki,
Dist. - Darbhanga , Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Shweta Anand, Adv.
For the State : Mr. Anish Chandra, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 18-06-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 302/34 of the Indian Penal Code.

3. The allegation in the FIR is that although the daughter of the informant was married to the petitioner ten years back, but there had been dowry demands from the family of the petitioner and due to non-fulfillment of the same, she was tortured and assaulted. It has further been alleged that on 22.04.2024, the informant received a secret information that the petitioner and the other family members have done to death the daughter of the informant and taken her to Darbhanga in a bid to show that they are getting her treated. On such information, the



present FIR was lodged.

4. Learned counsel for the petitioner submits that no doubt, the petitioner is the husband of the deceased, but for the past ten years, there has been no complaint with regard to any cruel behaviour meted out with the deceased and no FIR has been lodged at any place. As a matter of fact, the deceased lady was not mentally stable and it is on account of such fact that she consumed poison and has committed suicide. The materials collected during the course of investigation would reveal that initially, the informant and her family members were examined, who have repeated the allegations made in the FIR, but the statement of the son of the deceased recorded in paragraph 10 of the case diary would show that his mother had consumed poison whereafter she has been taken to the hospital for treatment, but she could not survive. Learned counsel for the petitioner further invites the attention of the Court to other materials collected during the course of investigation which would show that the deceased was not mentally stable and it is on account of such reason that she has committed suicide by consuming poison. It is further submitted that the application has also been filed by the informant herself before the learned Court of the CJM in the month of February, 2025 wherein she



has admitted that the present case was filed under some misconception, whereas her daughter was not mentally stable and also that she does not want to pursue the case against the husband and in-laws of the deceased daughter.

5. Learned APP for the State has opposed the prayer for bail

6. It is, however, taken into consideration that the materials disclosed that the petitioner had consumed poison and there was no effort to dispose of the dead body rather the deceased was taken for treatment and the dead body was even subjected to postmortem report. The postmortem report also indicates that the cause of the death has been reserved for viscera examination and the viscera report confirms the use of a poisonous pesticide. However, since the entire case and the assertion made on behalf of the petitioner is this that the petitioner has consumed poison and committed suicide, the finding of the viscera report would not go against the petitioner.

7. Considering the entire facts and circumstances and also that the informant herself does not wish to pursue the case, I am inclined to grant the privilege of anticipatory bail to the petitioner. Let the petitioner, above named, in the event of his 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 the learned lower Court where the case is pending/successor Court in connection with Sonki P.S. Case No. 07 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

8. However, the petitioner is directed to make himself available before the Investigating Officer of the concerned Police Station at an interval of 15 days till the charge sheet is submitted in the present case.

(Soni Shrivastava, J)

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