

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15531 of 2025

Arising Out of PS. Case No.-217 Year-2024 Thana- DHANARUA District- Patna

1. Santosh Kumar Son of Bhuneshwar Ram Village -Barki Simhari PS -Dhanarua District -Patna
2. Shanti Devi @ Raj Kumari Devi Wife of Bhuneshwar Ram Village -Barki Simhari PS -Dhanarua District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Adv.

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 25-04-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. At the outset, leaned counsel for the petitioners submits that during pendency of the present anticipatory bail petition, the petitioner no.2, namely, Shanti Devi @ Raj Kumari Devi has been arrested by the police.

3. In view of the above, the present anticipatory bail petition stands dismissed as having become infructuous as against the petitioner no.2, above named, and the present order is confined only to the petitioner no.1, above named.

4. The petitioner no.1 apprehends his arrest in connection with Dhanarua P.S. Case No. 217 of 2024 (G.R. No. 748 of 2024) registered for the offences punishable under



Sections 304(B)/34 of the Indian Penal Code.

5. As per prosecution case, the sister of the Informant was done to death for the non-fulfillment of demand of dowry made by the petitioner and his family members.

6. Learned counsel for the petitioner submits that the petitioner no.1 is innocent and has been falsely implicated in the present case with false and frivolous allegations. The petitioner no.1 is the Dewar of the deceased. He submits that as a matter of fact, the deceased fell down from the roof of the house due to which she sustained several injuries on her body and died. He further submits that the petitioner has never demanded any dowry and the allegation of demand of dowry of one motorcycle and Rs. 50,000/- is false and concocted. He further submits that the petitioner lives separately since long time and has no concern with the affairs of the husband of the deceased. The husband of the deceased namely Mantosh Kumar is already in judicial custody. The petitioner has not committed any offence as alleged in the F.I.R. The petitioner no.1 has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application.

7. Learned counsel for the petitioner further submits that the co-accused Bhuneshwar Ram has been granted regular



bail by this Court vide order dated 21.10.2024 passed in Cr. Misc. No. 71806 of 2024.

8. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner no.1, stating that the offence alleged against him is serious in nature. The petitioner is named in the F.I.R. and, hence, he does not deserve bail.

9. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner no.1, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Dhanarua P.S. Case No. 217 of 2024 (G.R. No. 748 of 2024), subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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