

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20923 of 2025

Arising Out of PS. Case No.-486 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Ramdular Prasad S/O Late Nathuni Mahto R/O Village- Madhubani Ghat, Batrauliya, P.S- Muffasil, Distt.- East Champaran, Motihari.
 2. Laxman Prasad S/O Late Nathuni Mahto R/O Village- Madhubani Ghat, Batrauliya, P.S- Muffasil, Distt.- East Champaran, Motihari.
 3. Shanti Devi W/O Late Arjun Prasad R/O Village- Madhubani Ghat, Batrauliya, P.S- Muffasil, Distt.- East Champaran, Motihari.
 4. Dinesh Prasad @ Dinesh Kumar S/O Late Arjun Prasad R/O Village- Madhubani Ghat, Batrauliya, P.S- Muffasil, Distt.- East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shilawati Devi W/O Manya Prasad R/O Village- Dhekaha Chainpur, P.S- Piparakothi, Distt.- East Champaran, Motihari.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar
For the Opposite Party/s	:	Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 14-08-2025

1. Heard the parties.

2. This application, for grant of anticipatory bail, arises out of Muffasil P.S. Case No. 486 of 2024, disclosing offences under Sections 108, 3(5) of the B.N.S.

3. Learned counsel for the petitioners, after some argument, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no. 2.

4. Permission is granted.

5. Accordingly, the present anticipatory bail application is dismissed as withdrawn with respect to the



petitioner no. 2.

6. As per F.I.R., the marriage of the informant's daughter, namely, Chanda Devi, was solemnized with Amarjeet Prasad in the year 2012. However, after two years of marriage, Amarjeet Prasad died in the year 2014. Thereafter, informant's daughter solemnized marriage with the brother-in-law, namely, Dinesh Prasad. From the wedlock, two children were born. It is further alleged that the petitioners and other accused persons started demanding Rs. 2 Lakhs and a motorcycle as dowry and due to non-fulfillment of demand of dowry, the accused persons started torturing her physically and mentally. On 10.10.2024, informant's daughter was assaulted and threatened that if the demand would not be fulfilled, she would be killed. On 13.10.2024, Ramdular Prasad came at the house of the informant and informed that the informant's daughter was not feeling well and when the informant arrived at her matrimonial house, she saw that her daughter's dead body was hanging from the ceiling.

7. Learned counsel for the petitioners submits that petitioners no. 1, 2 and 3 are in-laws of the deceased whereas petitioner no. 4 is the second husband of the deceased. The demand of dowry is false and fabricated and it is not for the



reason that after about eight years of marriage having two children, the petitioners and other accused persons will demand dowry. The deceased was suffering from depression and due to which she committed suicide. The F.I.R. has been registered after delay of two days u/s 108 of the B.N.S. During course of investigation, nothing has come to show that the petitioners played active role in the suicide of the deceased.

8. Learned APP for the State submits that during course of investigation, it has come that the deceased was being tortured due to non-fulfillment of demand of dowry for which a *Panchayati* had taken place and when the petitioners did continue to torture the deceased, she has committed suicide.

9. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner no. 4 namely, Dinesh Prasad @ Dinesh Kumar, i.e. second husband of the deceased.

10. Accordingly, the prayer for anticipatory bail of petitioner no. 4 stands rejected.

11. However, petitioner nos. 1 and 3 are concerned, there is no specific allegation against both the petitioners rather the allegation is general and omnibus in nature. Petitioner no. 3



is the mother-in-law of the deceased, I am inclined to grant the privilege of anticipatory bail to the petitioner nos. 1 and 3.

12. This application is, partly, allowed to the extent indicated above.

13. Let the petitioner nos. 1 and 3, namely Ramdular Prasad and Shanti Devi, 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 Chief Judicial Magistrate, Motihari, East Champaran, in connection with Muffasil P.S. Case No. 486 of 2024, subject to the condition laid down under Section 482 (2) of the B.N.S.

(Anil Kumar Sinha, J)

Ranjeet/-

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