

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25671 of 2025

Arising Out of PS. Case No.-148 Year-2024 Thana- BALIGAON District- Vaishali

Md Abrar S/o Abdul sahud resident of Village-Chakjado, Tenda, P.O and P.S- Hassan Sarai, Darghabela, District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Archana Sinha, Sr. Adv.
Ms. Swarna Roy
Ms. Richa Rajiv Singh
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-05-2025 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 Baligaon Police Station Case No. 148 of 2024, dated 25.10.2024, disclosing offences under Sections 80(2)/3(5) of the Bhartiya Nyaya Sanhita.
3. The prosecution case, as per the First Information Report, is that the informant solemnized the marriage of his daughter with the petitioner on 16.12.2021 and in the marriage the informant gave Rs. 3,60,000/- in cash/gold and other items as gift. After marriage the petitioner and his family members started demanding dowry and due to non-fulfillment of the demand, the informant's daughter



was assaulted on 19.10.2024 which was informed to the informant by the deceased herself. On 22.10.2024 the informant got information that the petitioner, along with other co-accused persons, has killed her daughter.

4. Learned senior counsel for the petitioner submits that the petitioner is husband of the deceased. She next submits that deceased has committed suicide due to depression and the allegation that the petitioner has killed the deceased is false. She further submits that at the time of occurrence the petitioner was at bank which can be verified from CCTV footage. The petitioner, when got the knowledge about the deceased, came to his residence and with the help of villagers he took her to the hospital, where treatments were made by the doctors. However, during treatment the informant's daughter collapsed.
5. I have heard learned counsel for the parties and have perused the materials available on record.
6. From perusal of the impugned order, it appears that within three years of marriage the deceased died in her matrimonial home. There is allegation of demand of dowry and torture and just prior to the death of the deceased on 19.10.2024 the deceased was tortured and



assaulted, which was informed by the deceased to her mother. In close proximity of time there is death of deceased and torture/assault to her for dowry. The nature of the death is not important whether it is homicidal, suicidal or accidental, but the fact is that deceased died an unnatural death within three years of her marriage in her matrimonial home. There is presumption against the accused persons under Section 117 and 118 of the Bharatiya Sakshya Adhiniyam, 2023. The petitioner is husband of the deceased and allegation is of dowry death.

7. Considering the aforesaid and nature of allegation, I am not inclined to grant the petitioner the privilege of anticipatory bail.
8. This bail application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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