

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30905 of 2025

Arising Out of PS. Case No.-759 Year-2024 Thana- SITAMARHI District- Sitamarhi

1. Vipin Kumar, S/O Prabhash Singh @ Prabhas Kumar, Resident of Lohiya Nagar, Mela Road, P.S. and Dist.- Sitamarhi
2. Sanju Kumari, D/O Prabhash Kumar @ Prabhash Singh, Resident of Lohiya Nagar, Mela Road, P.S. and Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vindhya Keshri Kumar, Sr. Advocate Mr. Ravi Shankar Pathak, Advocate
For the Opposite Party/s	:	Mr. Shyam Kumar Singh, APP
For the Informant	:	Mr. Ashok Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 13-08-2025 Heard Mr. Vindhya Keshri Kumar, learned Senior Advocate with Mr. Ravi Shankar Pathak, learned Advocate for the petitioners, the learned APP for the State and Mr. Ashok Kumar Jha, learned Advocate for the informant.

2. The petitioners are apprehending their arrest in connection with Sitamarhi P.S. Case No. 759 of 2024 registered for the offences under Sections 80(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The marriage of the sister of the informant was solemnized with Alok Kumar in the year 2015; the couple also blessed with two children. Prior to the alleged occurrence, the accused persons used to assault the sister of the informant.



However, the dispute came to be settled. On 06.11.2024, the informant came to know that petitioners along with Urmila Devi and Pravash Singh were present in the house of his sister and the room was locked from outside. On suspicion, the informant informed his father and they rushed there and broken the lock of the room, whereupon they found the dead body of the deceased lying on the bed. There was a cut mark on the neck of his sister and also injuries on the other parts of the body.

4. Learned Senior Advocate representing the petitioners submitted that the petitioners are none-else, but the unmarried brother-in-law and sister-in-law, having no concern with the day to day affairs of the deceased and her husband. It is further contended that so far the application of Section 80(2) of the of the Bharatiya Nyaya Sanhita is concerned, the same would not be applicable in the case in hand, as admittedly the marriage was solemnized in the year 2015 and the deceased died in the year 2024. The materials collected during the course of investigation is suggestive of the fact that the deceased committed suicide and this fact is also corroborated from the post-mortem report. There was no internal or external injury found over the body of the deceased. The mark of 'V' shape on the neck of the deceased is also suggestive of suicide. All the



more the petitioners undertake that they will fully cooperate in the investigation and in the proceeding of the court.

5. On the other hand, learned APP for the State and the informant vehemently opposed the bail application and submit that there is serious allegation against these two petitioners, who who were found near the room at the time of incidence where the dead body of the deceased was lying on the bed. The complicity of the petitioners cannot be denied. In fact after causing the death of the deceased, she was hanged on account of non-fulfillment of demand of dowry.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the materials collected during the course of investigation, as also the post-mortem report and the fact that the petitioners are unmarried brother-in-law and sister-in-law of the deceased, having fair antecedent, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case



No. 759 of 2024, subject to the condition as laid down under
Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita,
2023 with the further condition that one of the bailors shall be
the own/close relative of the petitioners.

(Harish Kumar, J)

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