

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32781 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- HASPURA District- Aurangabad

Rakesh Kumar S/o Ramswarup Saw R/o Vill - Ward No 2, Dhammi, PS-
Haspura, Dist- Aurangabad, Presently Residing AT Vill Koilawan, PS-
Haspura, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priya Ranjan, Adv.

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 11-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State. Perused the case diary.

2. The petitioner apprehends his arrest in connection
with Haspura P.S. Case No. 01 of 2025 instituted for the
offences under Sections 80(2), 3(5) of the Bharatiya Nyaya
Sanhita, 2023.

3. As per prosecution case, the the petitioner along
with the family members tortured and killed the deceased for the
non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is the brother-in-law (*Bhaisur*) of the deceased.
Learned counsel for the petitioner submitted that general and



omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. He further submits that from perusal of the postmortem report, it appears that there is no external injury on the body of the deceased except near the neck which itself shows that no assault was made upon the deceased and the deceased has committed suicide due to depression and anxiety and, thus, there is no involvement of the petitioner in the alleged occurrence. Till date, not a single independent witness has supported the prosecution case. Husband of the deceased is already in custody. It has been submitted on behalf of the petitioner has no criminal antecedent.

5. Learned counsel for the petitioner further submits that the co-accused Anita Devi @ Anita Kumari has been granted regular bail by this Court vide order dated 07.04.2025 passed in Cr. Misc. No. 18996 of 2025.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner, stating that the offence alleged is serious in nature. He further submits that death of the deceased has occurred within one year of the marriage at her matrimonial home.

7. Considering the entire facts and circumstances of



the case and taking into account the submissions made by the learned counsel for the petitioner as also there being no direct allegation of any overt act against the petitioner, let the petitioner, 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.15,000/- (Rupees Fifteen 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 Haspura P.S. Case No. 01 of 2025, 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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