

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35569 of 2025

Arising Out of PS. Case No.-150 Year-2024 Thana- MOHIUDDIN NAGAR District-
Samastipur

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1. Munna Kumar Singh @ Shiv Kishore Singh S/o- Late Dev Charan Singh village- Chapar, Police Station- Mohiuddinnagar, District- Samastipur.
 2. Manju Devi @ Sarita Devi W/o- Munna Kumar Singh @ Shiv Kishore Singh village- Chapar, Police Station- Mohiuddinnagar, District- Samastipur.
 3. Rani Kumari D/o- Munna Kumar Singh @ Shiv Kishore Singh village- Chapar, Police Station- Mohiuddinnagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 03-09-2025 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Mohiuddin Nagar P.S. Case No. 150 of 2024 dated 03.07.2024 registered under Sections 304B, 34 of the I.P.C.

3. The present case is a case of dowry death. The informant's daughter was married to the co-accused / Baliram Singh in the year 2017. The allegation in the F.I.R. is that after marriage the petitioners along with other accused persons started demanding dowry of Rs. 3 Lakh from the deceased and her family members



and due to non fulfillment of the demand the accused persons tortured the deceased physically and mentally. The informant called his daughter on 23.06.2024 but her daughter did not pick up the phone. Apprehending some untoward incidence the informant reached the matrimonial home of his daughter and found that home was locked. Upon enquiry the informant came to know that his daughter has been administered poison and she has been admitted in some hospital at Hajipur. The informant reached Hajipur and enquired about his daughter's whereabouts and found that his daughter has been admitted in New Adarsh Nursing Home with a different name of Aarti Kumari instead of Kabita Devi. Thereafter the informant brought his daughter to PMCH and she died on 24.06.2024 in PMCH.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case on the basis of general and omnibus allegation. The petitioner no. 1 is the father-in-law, petitioner no. 2 is the mother-in-law and the petitioner no. 3 is unmarried sister- in- law of the deceased. The petitioners are not living with the deceased and her husband and they are separated in mess and residence with the deceased. The deceased has committed suicide by consuming poison and after coming to know about her condition the petitioners admitted the deceased



in hospital.

5. On the other hand, learned counsel for the informant opposed the prayer for anticipatory bail of the petitioners and submits that petitioners are specifically named in the F.I.R. The petitioner nos. 1 & 2 are the head of matrimonial family of the deceased. The allegation is specific that petitioners started demanding dowry along with other accused persons and due to non fulfillment of demand she has been administered poison. The very fact that the deceased was admitted in the wrong name of Aarti Kumari in the nursing home reflects the intention of the petitioners.

6. During the course of investigation the witnesses have said that earlier also the deceased was being tortured for which a panchayati was held and during panchayati the accused persons gave assurance that the deceased would not be tortured but they continued to torture the deceased always. In the supervision report the supervising authority has noted that the petitioners were not living separately with the deceased. The process under Section 82 Cr.P.C. has also been issued against the petitioners.

7. Having heard learned counsel for the parties and going through the materials on record including the F.I.R. it appears that within seven years of marriage the deceased has died an



unnatural death in her matrimonial home. She was admitted in the hospital with wrong name. There is demand of dowry against the petitioners. The nature of death is not important whether it is suicidal, homicidal or accidental inasmuch as per the F.I.R. the deceased was tortured physically as well as mentally for non fulfillment of demand of dowry. There is presumption under section 113(A) & 113(B) of the Evidence Act against the petitioners and the offence is serious in nature, accordingly, I am not inclined to grant anticipatory bail to the petitioner nos. 1 & 2 i.e. father-in-law and mother-in-law respectively. The same is rejected.

8. Insofar the petitioner no. 3 is concerned, she is unmarried sister-in-law of the deceased aged about 28 years, as such, I am inclined to grant anticipatory bail to the petitioner no. 3.

9. Let the petitioner no. 3, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Shri Sachin Kumar, Judicial Magistrate-1st Class, Samastipur, District – Samastipur in connection with Mohiuddin Nagar P.S. Case No. 150 of 2024 subject to the condition as laid down



under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

praful/-

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