

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37210 of 2025

Arising Out of PS. Case No.-725 Year-2023 Thana- HILSA District- Nalanda

Prince Kumar S/o Satyendra Prasad Resident of Village- Khadi, PS- Hilsa,
Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 38689 of 2024

Arising Out of PS. Case No.-725 Year-2023 Thana- HILSA District- Nalanda

Satyendra Prasad S/O Late Krishn Prasad R/O Village Khari, P.S. Hilsa, Distt-
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 37210 of 2025)
For the Petitioner/s : Mr.Sumit Kumar, Advocate
For the Opposite Party/s : Mr.Md. Matloob Rab, APP
(In CRIMINAL MISCELLANEOUS No. 38689 of 2024)
For the Petitioner/s : Mr.Birendra Kumar, Advocate
For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 15-10-2025 Heard learned Counsel for the petitioners and

learned Additional Public Prosecutors for the State.

2. These applications, for grant of anticipatory bail,

arise out of Hilsa Police Station Case No. 725 of 2023,

disclosing offences punishable under Sections 304(B)/34 of the

Indian Penal Code.



3. As per the prosecution-case, the marriage of the informant's daughter was solemnized with Prince Kumar, petitioner in Cr. Misc. No. 37210 of 2025, about 6 to 7 years back. After the marriage, the accused persons started demanding dowry and due to non-fulfillment of the demand, the informant's daughter was being tortured physically and mentally. On 07.11.2023, at about 07:00 p.m. in the evening, the informant got a phone call that her daughter has been assaulted brutally by the petitioners due to which she is seriously injured. The informant reached at the matrimonial home of her daughter in the morning and saw that her daughter was lying dead on a cot and there were marks of assault on her body and the head was also found fractured. It has been alleged that the petitioners fled away from home after killing her daughter.

4. Learned counsel for the petitioners submit that petitioners have not committed any offence in the manner alleged and the allegation against them is general and omnibus in nature. No complaint, whatsoever, was lodged by the informant's side prior to the present occurrence. From a perusal of the F.I.R., it appears that the head of the deceased was injured from the back side and blackening has been found on the left hand and on the body of the deceased. It has been submitted that



deceased and her husband were fighting over some domestic issue and during the course of fighting the deceased fell from the stair and died. The present F.I.R. has been lodged in order to extort money from the petitioners. Satyendra Prasad, petitioner of Cr. Misc. No. 28689 of 2024, is father-in-law of the deceased and resides separately from his son Prince Kumar, petitioner of Cr. Misc. No. 37210 of 2025. During the course of investigation, the witnesses, in para Nos. 5, 6, 8 and 17, have said that Satyendra Prasad tried to intervene in the matter in order to save the deceased while Prince Kumar was assaulting her, but his son kept on assaulting the deceased.

5. On the other hand, learned counsel for the informant vehemently opposed the prayer for anticipatory and submits that within 6 to 7 years of marriage, the petitioners, being the father-in-law and the husband of the deceased, started demanding dowry and due to non-fulfillment of the demand, the deceased was being tortured for which re-conciliation took place between the parties in front of the villagers. On the date of occurrence, the informant got the specific information that both the petitioners brutally assaulted the deceased due to which she sustained head injury and other injuries on her body parts. The witnesses, in para 18, 33 and 34 and other paragraphs of the



case diary have said that both father and son used to torture the deceased for non-fulfillment of dowry demand and the conduct of the father is suspicious inasmuch as he even did not inform the informant regarding the assault made by his son on the date of occurrence. The *post mortem* report shows that cause of death is haemorrhagic shock due to head and abdominal injury caused by hard heavy blunt substance.

6. Having heard learned counsel for the parties, taking into consideration the specific allegation of assault against the petitioners in the F.I.R., the *post mortem* report, the gravity of the offence and severity of punishment and the statement of the witnesses against the petitioners, I am not inclined to grant anticipatory bail to the petitioners.

These applications are, accordingly, rejected.

(Anil Kumar Sinha, J)

K.C.Jha/-

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