

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36324 of 2025

Arising Out of PS. Case No.-714 Year-2024 Thana- GAURICHAK District- Patna

1.

Nisha Devi @ Nisha Singh W/O Dhiraj Kumar R/O Village- Bahuara, P.S- Gaurichak, Distt.- Patna.
2.

Arun Singh @ Arun Kumar Singh S/O Anant Kumar R/O Village- Bahuara, P.S- Gaurichak, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh, Adv.
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 10-09-2025 Heard learned Counsel for the petitioners and learned APP for the State beside the informant.

2. The petitioners apprehend their arrest in connection with Gaurichak P.S. Case No. 714 of 2024 for the offence registered under sections 80(2) and 61(2)(a) of the BNS, 2023 and Section 3/4 of the Dowry Prohibition Act lodged on 29.11.2024 by the informant Aarti Devi.

3. As per the prosecution story, the informant alleged that the deceased was married to Chandrabhan Singh in the year 2020. They used to stay in Delhi but was tortured for dowry and later, the killing took place which led to the F.I.R.

4. Learned counsel for the petitioners submit that the



couple was living happily, had two children, on the eve of Chhath Puja, they were visiting the native place and in a spur of moment, it seems that the lady committed suicide but the allegation of killing has come. Learned counsel has taken this Court to learned Sessions Judge order to show that the cause of death has been recorded as asphyxia due to hanging. These two petitioners are the sister in law and father in law.

5. Learned APP opposes the prayer for bail submitting that allegation of demand of motorcycle is there.

6. Learned counsel for the informant submits that the '*gotni*' was the reason behind the alleged death.

6. Taking into account the aforesaid facts as also the cause of death which has been recorded in the learned Sessions Judge order, they have no criminal antecedent, in that background, this Court is inclined to extend them the relief.

7. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Patna City, Patna, in connection with Gaurichak P.S. Case No. 714 of 2024 subject to the following conditions:

(i) one of the bailor should be the family



member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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