

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36963 of 2025

Arising Out of PS. Case No.-30 Year-2025 Thana- CHAKIA District- East Champaran

1. Ragini Devi W/o- Sri Suresh Thakur
2. Suresh Thakur S/o- Late Jagdish Thakur
Both resident of Village- Bulbulwa P.S.-Baruraj(Rajepur) District-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Ms. Vaishnavi Singh, Advocate
Mr. Ritwik Thakur, Advocate
Mr. Mudit Meel, Advocate
For the State : Mr. Madan Kumar, APP
For the Informant : Ms. Dipti Divya, Advocate
Mr. Abhishek Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 03-09-2025

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for bail apprehending their arrest in connection with Chakia P.S. Case no.30 of 2025 registered for the offence punishable under sections 103(1), 80, 238 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that her daughter was married to the son of the petitioners herein in November, 2017. At the time of marriage, various gifts/dowry was given. Her daughter gave birth to two sons who are aged five years and one year. On 14.10.2024, the informant received



a phone call from her son-in-law on 11.06 a.m. stating that her daughter has hung herself. The informant reached from Vishakhapatnam and saw the dead body of her daughter. She states that under coercion, the cremation took place and no further steps were taken. The informant and others returned to Vishakhapatnam and thereafter an FIR was registered. The informant further states that the accused persons were torturing her daughter. She suspects that they had opened a LIC account in her name and have killed her. An enquiry be conducted into the death of her daughter and the guilty be punished.

4. Learned counsel for the petitioners submits that the petitioners happen to be mother-in-law and father-in-law of the deceased and have been falsely implicated in the case. From the contents of the FIR itself, it would transpire that immediate information about the death of the informant's daughter was given to the informant on telephone and only on their reaching the house of the petitioners that the cremation took place in their presence. The allegations of torture, misbehaviour etc. are all false and concocted. While the death took place on 14.10.2024, information was given to the police only on 19.12.2024. Accepting that the information was given on the P.M. portal on 4.11.2024 and to the National Commission for Women on



7.11.2024, there is no explanation for the delay in lodging of the FIR. Even in the past, there has been no complaint against the petitioners and the FIR appears to have been lodged after due deliberation.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that the daughter of the informant was killed in a pre-planned manner within seven years of the marriage and it is for this reason that on the threats being given by the two gunmen that without conducting any postmortem examination, the body was disposed of. The daughter of the informant was regularly tortured and the witnesses have supported the prosecution case.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioners in the FIR being general and omnibus in nature, the petitioners being the mother-in-law and father-in-law of the deceased, there having been inordinate delay in lodging of the FIR and the petitioners not having any criminal antecedent, it is directed that both the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with



Chakia P.S. Case no.30 of 2025 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, East Champaran, Motihari.

(Partha Sarthy, J)

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