

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38412 of 2025

Arising Out of PS. Case No.-340 Year-2024 Thana- NASRIGANJ District- Rohtas

Aarti Devi, Wife of Sri Dhiraj Ray, R/o Village Gamhariya, P.S.- Nasriganj,
District Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 38415 of 2025

Arising Out of PS. Case No.-340 Year-2024 Thana- NASRIGANJ District- Rohtas

Gorakh Ray, S/o Late Banshi Ray, R/o Vill- Gamhariya, P.S.- Nasriganj,
Distt- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 38566 of 2025

Arising Out of PS. Case No.-340 Year-2024 Thana- NASRIGANJ District- Rohtas

1. Dhiraj Ray, Son of Sri Gorakh Ra,y R/o village Gamhariya, P.S Nasriganj,
District Rohtas
2. Bateshwar Ray @ Biteshwar Ray, Son of Late Banshi Ray, R/o village
Gamhariya, P.S Nasriganj, District Rohtas
3. Rahul Ray, Son of Belas Ray, R/o village Bihaha, P.S Karakat, District
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 38412 of 2025)
For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP
(In CRIMINAL MISCELLANEOUS No. 38415 of 2025)
For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP



(In CRIMINAL MISCELLANEOUS No. 38566 of 2025)

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 03-09-2025 Heard the parties.

2. The petitioners before this Court are in-laws persons of the deceased, who are apprehending their arrest in connection with Nasriganj P.S. Case No. 340 of 2024 registered for the offences punishable under Sections 80, 3(5), 238 of the Bharatiya Nyaya Sanhita, 2023.

3. The written report lodged by the informant discloses that the marriage of his daughter was solemnized with co-accused Om Prakash Ray. There is allegation that all the accused persons were engaged in torturing the victim through various means and demanded a Bullet Motorcycle in dowry and when the demand could not be fulfilled, she was being assaulted and deprived from the foods. It is further alleged that when the daughter of the informant conceived, she was administered wrong medicines in order to kill her and prepared fake documents for her treatment. All of a sudden, the informant received information that his daughter was strangled to death and upon such information, when the informant rushed to her matrimonial home, none of the accused persons were found



present there. It has been informed that cremation of the dead body was already done in the late night.

4. Mr. Ajay Kumar Thakur, learned Advocate for the petitioners, appearing in all the applications, submitted that besides the omnibus nature of allegation against all the family members, during the course of investigation, it has come that the deceased was under treatment of Dr. Ragini Sinha at Dihri and when her condition started deteriorating, she was referred to Patna where she was under the treatment of Dr. Sarika Roy. It has also come during the course of investigation that on 30.09.2024, while she was under treatment of Dr. Sarika Roy, her condition was getting deteriorating, she was referred to Oxyzone Hospital, near Kankarbagh, Patna where she died in course of treatment. The dead body of the deceased was handed over to one Sania Devi, who is said to be the maternal aunt (*Fua*) of the deceased. Taking note of the aforesaid fact, the husband of the deceased, who was taken into custody, has been allowed the privilege of regular bail by a coordinate Bench of this Court in Cr. Misc. No. 38382 of 2025 vide order dated 25.06.2025.

5. Mr. Thakur further submitted that the dead body of the deceased was cremated in the presence of the villagers and



when this information was given to the father of the deceased, he refused to participate in the cremation and, later on, it appears that on the instigation of some unscrupulous persons, the present F.I.R. came to be lodged.

6. On the other hand, learned APP for the State vehemently opposes the bail applications and submits that the F.I.R. clearly discloses that the accused persons have prepared forged and fabricated medical prescriptions and based upon which, the Investigating Officer has also wrongfully incorporated in the case diary.

7. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the materials collected during course of investigation that the deceased was all along under the treatment of doctors and was duly cremated in presence of the villagers, coupled with omnibus allegation and are in-laws persons, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-



I, Bikramganj, Rohtas in connection with Nasriganj P.S. Case No. 340 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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