

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40513 of 2025

Arising Out of PS. Case No.-100 Year-2025 Thana- KAKO District- Jehanabad

Priyanka Devi @ Priyanka Singh Wife of Sonu Singh @ Rajveer Singh
Resident of Vill- Ainwa, P.S.- Kako, Distt.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 39897 of 2025

Arising Out of PS. Case No.-100 Year-2025 Thana- KAKO District- Jehanabad

Lakshman Kumar @ Lakshman Singh S/o Bundi Singh Resident of Village-
Ainwa, P.S- Kako, Distt.-Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 40307 of 2025

Arising Out of PS. Case No.-100 Year-2025 Thana- KAKO District- Jehanabad

Pravinda Devi @ Parvinda Devi Wife of Lakshman Singh @ Lakshman
Kumar Resident of Village- Ainwa, P.S.- Kako, Distt.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 40513 of 2025)

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Adv.
Mr. Manoj Kumar Pandey
Ms. Kumari Pallavi, Adv.
For the State : Mr. Anil Prasad Singh, APP
For the Informant : Mr. Yogendra Kumar Singh, Adv.
Mr. Ratneshwar Prasad, Adv.
Ms. Nitu Kumari, Adv.

(In CRIMINAL MISCELLANEOUS No. 39897 of 2025)

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Adv.
Mr. Manoj Kumar Pandey
Ms. Kumari Pallavi, Adv.
For the State : Mr. Anil Prasad Singh, APP
For the Informant : Mr. Yogendra Kumar Singh, Adv.
Mr. Ratneshwar Prasad, Adv.
Ms. Nitu Kumari, Adv.

(In CRIMINAL MISCELLANEOUS No. 40307 of 2025)

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Adv.



		Mr. Manoj Kumar Pandey
		Ms. Kumari Pallavi, Adv.
For the State	:	Mr. Anil Prasad Singh, APP
For the Informant	:	Mr. Yogendra Kumar Singh, Adv.
		Mr. Ratneshwar Prasad, Adv.
		Ms. Nitu Kumari, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 23-07-2025 As these bail applications have arisen from the same police station case number, hence, with consent of the parties, they are being heard together and disposed of by this common order.

2. Heard Mr. N.K. Agarwal, learned senior counsel for the petitioners assisted by Mr. Manoj Kumar Pandey, Mr. Anil Prasad Singh, learned APP for the State and Mr. Yogendra Kumar Singh, learned counsel appearing for the informant.

3. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 80, 3(5) of the BNS.

4. The allegation in the FIR is that the informant's daughter has been done to death by the accused persons including the present petitioners upon non-fulfillment of demand of dowry.

5. Learned senior counsel for the petitioners submits that there is a general and omnibus allegation in the FIR with regard to causing death of the informant's daughter. However, this fact has also been admitted in the FIR itself that it was the petitioner



Lakshman Kumar, father-in-law of the deceased, who had informed the family of the deceased about her death whereafter the informant and others had reached the house of the petitioners. It is further submitted that the deceased had actually committed suicide owing to some matrimonial discord between the husband and wife and upon realising the same, she was immediately taken to the hospital where the doctor declared her dead. The dead body of the deceased was also subjected to postmortem examination and hence, this goes to show that there was no effort on the part of the petitioners to cause disappearance of the evidence as the informant's family was duly informed about the death of the deceased and the dead body of the deceased was also found at home when the informant and others had reached the house. It is next submitted that the husband Raushan Kumar, who was primarily responsible for the welfare of his wife, has already surrendered on 20.06.2025 and the surrender certificate has also been brought on record by way of supplementary affidavit. So far as the present petitioners are concerned, they all are in-laws of the deceased, being sister-in-law, father-in-law and mother-in-law, respectively who are separate in mess and residence and they have no role in the alleged occurrence. It is also submitted that the daughter of the deceased aged about 2½ years old is staying



with the petitioners in their house and was taken care of by them.

6. Learned APP for the State and learned counsel appearing for the informant strongly standby the allegations levelled in the FIR. Learned counsel for the informant opposes the prayer for anticipatory bail on the ground that all the petitioners have done the informant's daughter to death by strangulating her. It is further submitted that coercive processes have also been issued against the petitioners. In response to the same, it is submitted that after filing of the bail application, the process under Section 82 Cr.P.C. was initiated and so far as the process under Section 83 Cr.P.C. is concerned, while the matter was being mentioned before this Court, the investigating agency took an order from the Court below by pressing its requisition. However, the process has neither been issued nor executed till date. It is to be taken into consideration that there is no total embargo on entertaining an application u/s 438 Cr.P.C/ 482 B.N.S.S. under such circumstances as laid down in the case of *Asha Dubey Vs. State of M.P.* (Cr. Appeal No. 4564 of 2024/SLP Cri. No. 13123 of 2024). Further, the case of *Srikant Upadhyay Vs. State of Bihar & Anr.*, being Special Leave Petition (Crl.) No. 7940 of 2023 relied by the informant, also does not totally foreclose the doors of justice in special



circumstances and considering that the petitioners have not lost any time in filing application for anticipatory bail, there is no deliberate laches on their part and they have been pursuing their legal remedies.

7. Taking into consideration the entire facts and circumstances of the case as well as the fact that petitioners, Priyanka Devi and Pravinda Devi are females and petitioner, Lakshman Kumar is a senior citizen and also that the husband of the deceased has already surrendered, I am inclined to grant the privilege of anticipatory bail to the petitioners having clean antecedent. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Kako P.S. Case No. 100 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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