

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44297 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- CHANDRADIP District- Jamui

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1. Manish Kumar, aged about 24 years, Male
 2. Nitish Kumar, aged about 23 years, Male
Both are S/o- Bidya Bhushan Singh
 3. Bidya Bhushan Singh, aged about 57 years, Male, son of late Aamo Singh
All resident of Village- Dhanar PS-Chandradip District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 16-10-2025 Heard Mr. Anil Kumar Singh, learned counsel
appearing on behalf of the petitioners and Mr. Ajit Kumar,
learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Chandradip P.S. Case No. 31/2025 registered for the
offence(s) punishable under Sections 80 and 3(5) of BNS.

3. As per the allegation made in the FIR, for non-
fulfillment of demand of dowry, the accused persons including
the petitioners assaulted and committed murder of the daughter
of the informant. The demand of dowry allegedly was made just
before the commission of murder.

4. Learned counsel appearing on behalf of the



petitioners submitted that petitioners no.1 and 2 are unmarried and they are students and are preparing for job. On the alleged date of incidence which took place on 05.03.2025, the petitioner no.1 was not present at the place of incidence, as he had gone to Orissa to take competitive examination conducted by railway recruitment Board and in support of the same, the admit card issued in the name of the petitioner no.1 has been brought on record as Annexure p/4. Petitioner no.2 is also own brother of co-accused Prince Kumar, who is husband of the deceased and on the alleged date of occurrence, he was residing in Ranchi. So far as petitioner no.3 is concerned, he is father-in-law of the deceased and he was also not present at the place of occurrence as he was in Ranchi. Learned counsel further informs that allegation against the petitioners is general and omnibus and they are not involved in any manner with the strained matrimonial relationship between husband and wife. The husband/co-accused/Prince Kumar is employed in CRPF and he has already surrendered. He further submitted that just because petitioners no.1 and 2, who are own brother of Prince Kumar, husband of the deceased, and petitioner no.3 being his father have been roped in the present case. Petitioners have clean antecedents. On these grounds, petitioners seek to be released



on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail. He submitted that insofar petitioner no.1 is concerned, though he has brought on record the admit card duly issued by the Railway Board but there is no evidence or record, as to whether, the petitioner no.1 has actually attended and has taken competitive examination. Similarly, petitioner no.2 has not been able to bring on record any evidence that he was in Ranchi on the alleged date of occurrence. There is direct allegation against petitioner no.3, who is father-in-law of the deceased and his complicity in the alleged offence cannot be denied. He further submitted that from perusal of the postmortem report, horizontal ligature mark is found in the neck of the deceased which clearly shows that the alleged commission of murder was due to strangulation. On these grounds, he submitted that petitioners don't deserve to be released on pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegations made in the FIR and the material which has surfaced in course of investigation against all the three petitioners, who are seeking anticipatory bail, I find that the petitioner no.1 has produced the



admit card in support of his claim that he had gone to Rourkela, Orissa to take examination and he was in transit while coming home after taking examination on 03.03.2025. The alleged occurrence took place on 05.03.2025. **The petitioner no.1 has prima facie made out a case to be released on pre-arrest bail, subject to the condition that he may produce the evidence before the learned District Court relating to his mode of commutation, to and fro, from the place he has started to take examination in Orissa and return journey to establish that he was not present on the date of occurrence.**

7. Similarly, the petitioner no.2, who is also a student may furnish evidence about his non-presence on the alleged date of occurrence. **In case he produces the same, then in that case, petitioner no.2 would also be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond 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, Jamui in connection with Chandradip P.S. Case No. 31/2025, subject to the conditions as laid down under Section 482(2) of the BNSS and the aforesaid conditions imposed by this Court to**



petitioners no.1 and 2, as noted-above.

9. So far as petitioner no.3 is concerned, his complicity cannot be denied in the alleged offence also on account of the fact that in spite of general and omnibus allegation alleged against him in the FIR, he being the father-in-law of the deceased, has not taken any effort to stop the illegal act of commission of murder of his daughter-in-law. As such, **I am not inclined to grant pre-arrest bail to petitioner no.3.**

10. **However, if the petitioner no.3 is able to furnish any evidence about his *alibi* that he was in Ranchi on the alleged date of occurrence, the same may be considered by the learned District Court.**

11. The bail application stands disposed of.

(Purnendu Singh, J)

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