

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43491 of 2025

Arising Out of PS. Case No.-73 Year-2025 Thana- Marnga District- Purnia

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1. Mahjabi Khatun W/O Md. Hassan Imam R/O Village- Lalganj Milki, ward no. 6, PS-Maranga, Distt-Purnea
 2. Arshi Hasan @ Kazal Parveen @ Kazal Praveen D/O Md. Hassan Imam R/O Village- Lalganj Milki, ward no. 6, PS-Maranga, Distt-Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 16-07-2025 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 61(2), 80 and 3(5) of the BNS.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that his daughter was married to Md. Shaif Alam on 24.04.2024 and after three months of the marriage, the husband and the accused persons started demanding dowry of Rs.25 lakhs and on account of non-fulfillment of the demand, his daughter was tortured. Further, on 05.03.2025, at 12:20 p.m., the



father-in-law informed that his daughter is undergoing treatment at Sadar Hospital, Purnea, accordingly, the informant reached the hospital but he did not find his daughter and thereafter he came to her matrimonial home where he found the dead body of his daughter lying having black spot over neck, face and other parts of the body.

4. Learned counsel for the petitioners submits that petitioners being the mother-in-law and unmarried sister-in-law have been falsely implicated in the instant case by the informant. It is further submitted that the marriage of the daughter of the informant with the son of petitioner no. 1 was a love marriage, as such, the petitioners were not on good terms with the husband of the deceased. It is next submitted that petitioners were living separately. It is also submitted that it was father-in-law of the deceased who informed the informant that her daughter is undergoing treatment at the hospital based on which the informant came to the matrimonial home of the deceased. It is submitted that had the petitioners been involved in the occurrence in that event the father-in-law would not have informed the informant rather efforts would have been made to dispose of the dead body with a view to conceal the evidence. It is further submitted that whenever any dispute arises in between



the husband and the wife and the occurrence of the nature as alleged takes place the entire family members are implicated in a mechanical manner. It is next submitted that the petitioners will not abscond rather will cooperate in the investigation to prove their innocence. It is also submitted that even allegation of demand of dowry and torture is general and omnibus in nature but then presumption in law is against the accused persons.

5. Learned A.P.P. for the State and the informant opposed the prayer for anticipatory bail of the petitioners but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that all deaths are not dowry deaths and no effort was made by the accused persons to dispose of the dead body and it was father-in-law of the deceased who had informed the informant.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory 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 the learned court below where



the case is pending/Successor Court in connection with Maranga
P.S. Case No. 73 of 2025, subject to the conditions as laid down
under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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