

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42038 of 2025

Arising Out of PS. Case No.-570 Year-2023 Thana- Arwal District- Arwal

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1. Dinesh Choudhary @ Mantu Choudhary S/O Late Suresh Choudhary Resident of Village- Madan Singh Ke Tola, P.S.- Arwal, District- Arwal.
 2. Manju Devi W/O Dinesh Choudhary Resident of Village- Madan Singh Ke Tola, P.S.- Arwal, District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha
For the Opposite Party/s : Mr. Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-07-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 498(A), 304(B) and 201 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that his sister was married to Rahul about five months ago and soon after marriage, she was subject to cruelty and torture by all the accused persons including the petitioners on account of non fulfillment of demand of dowry, it is next alleged



that on 20.03.2023 when informant called his sister, she was scared and said that she was assaulted and then the call got disconnected, accordingly the informant reached the matrimonial home of his sister and found her missing, as such, the informant suspects that all the FIR named accused persons killed the sister of the informant.

4. Learned counsel for the petitioners submits that petitioners, being father-in-law and mother-in-law have been falsely implicated in the instant case. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that allegation of torture and meting out cruelty on account of non fulfillment of dowry demand is general and omnibus in nature. It is next submitted that the informant in the FIR alleges that when he reached the matrimonial home of his sister, he found her missing as such it is submitted that it cannot be alleged with certainty that the victim was killed. It is next submitted that Sarita Devi and four others had moved this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 22262 of 2025 and the same was allowed by a learned Co-ordinate Bench by an order dated 28.04.2025, it is next submitted that case of the petitioners if not akin is similar to the case of Sarita Devi and others, as such, based on parity seeks



anticipatory bail.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners and submits that no doubt in the FIR it is alleged that the victim was found missing, but then from perusal of the pleadings made in the anticipatory bail application, it does not even remotely get reflected that a ground has been taken by the petitioners that victim is not dead rather is missing. It is also submitted that the occurrence took place within five months of the marriage and the dead body could not be recovered. It is also submitted that the occurrence also took place in the house of the petitioners, as such, the petitioners must be aware that as to what happened to the victim. It is also submitted that the case of the petitioners is not similar to the case of Sarita Devi and four others who have been granted the privilege of anticipatory bail by this Court. It is submitted that petitioners of Criminal Miscellaneous No. 22262 of 2025 were *Bua*, Nanad, Dewar, Neighbour and uncle along with a co-villager. It is submitted that petitioners are father-in-law and mother-in-law of the victim and the occurrence took place in the house where they stayed, as such their case is on a different footing and the investigation is in its nascent stages.

6. Considering the submissions made by the learned



APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioners.

7. Accordingly, the instant anticipatory bail application is rejected.

(Satyavrat Verma, J)

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