

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42932 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- PANCHRUKHI District- Siwan

1. Ram Naresh Yadav Son of Late Harihar Yadav @ Joynath Yadav Resident of village Laheji, Police Station M.H. Nagar Hasanpura, District Siwan presently residing at 667-C.D. New Colony. Anakha Kanchyaapara, North 24 Parganas, PS-Bijpur, West Bengal-743145
2. Ramita Devi @ Kavita Devi @ Kavita Kumari Yadav W/O Arjun Kumar Yadav Resident of village- Laheji, Police Station- M.H. Nagar Hasanpura. District Siwan presently residing at village-Supauli Itwa, Police Station Pachrukhi, District Siwan, Bihar-841241,
3. Sushila Devi W/O Ram Naresh Yadav Presently resident of village- Laheji, Police Station- M.H. Nagar Hasanpura District Siwan. Permanent resident of Village-Laheji, PS- Mandrauli, Post Office Mandraull, PS- M.H. A Nagar, Hassan pura, District Siwan, Bihar 841233.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi W/O Brij Kumar Yadav Resident of Bibi Ke Bangara, Police Station- Barahariya, District- Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Nath Dubey, Adv.
For the Opposite Party/s : Mr. Ravindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 16-07-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State Mr. Ravindra Kumar along with learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 80, 3(5) of the B.N.S.S.
3. Learned counsel for the petitioners submits that the daughter of the informant was married to Rahul on 09.12.2023.



It is next alleged that after marriage, the accused persons including the husband started torturing her for dowry, further the victim was also ousted from her matrimonial home but then on 18.01.2025 she was again taken back from her parental home to her matrimonial home, further on 03.03.2025 the informant received an information from an unknown person that the victim is being assaulted, accordingly, she went to the place of occurrence where she did not find any of the accused persons and the police had surrounded the house and her daughter was lying dead with mark of injury on her head, face and body.

4. The learned counsel submits that petitioners have been falsely implicated in the instant case being father-in-law, mother-in-law and married sister-in-law. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that when she reached the place of occurrence she saw the dead body of her daughter lying with mark of injury, it is submitted that the said allegation was levelled only with a view to give seriousness to the case when from perusal of the postmortem report, it would manifest that no external injury was found. It is also submitted that allegation of demand of dowry and torture is general and omnibus in nature. It is next submitted that the postmortem report records asphyxia



due to above mentioned ante-mortem injury caused by throttling. It is also submitted that the petitioner no.2 (married Nanad) lives separately and is a government teacher and resides at Supauli Itwa, Siwan. It is also submitted that father-in-law of the deceased resides at village- Mandrauli, Post Office- Mandrauli, District-Siwan separately from his son and petitioner no.3 resides with the petitioner no.1. It is next submitted that whenever any dispute arises in between the husband and the wife and occurrence of the nature as alleged takes place, the entire family members are implicated in a mechanical manner. It is also submitted that informant is not an eyewitness to the occurrence and the dead body of the deceased was lying in the house. It is thus submitted that had the petitioners been involved in the occurrence, in that event, efforts would have been made to dispose of the dead body with a view to conceal the evidence.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes 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 the petitioners live separately from the husband of the deceased and no external injury except to the extent what is mentioned in the postmortem report was found.



The learned counsel appearing on behalf of the informant submits that in the event if privilege of anticipatory bail is granted to the petitioners, the petitioners may abscond, on which, the learned counsel appearing on behalf of the petitioners submits that petitioners will not abscond rather will co-operate in the investigation to prove their innocence.

6. Considering the submissions made by the learned counsel for the petitioners, 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 learned trial court where the case is pending/successor court in connection with Pachrukhi (M.H. Nagar) P.S. Case No.88/2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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