

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48092 of 2025

Arising Out of PS. Case No.-245 Year-2023 Thana- PIPRA District- Supaul

Ramu Sharma S/o Sukhdeo Sharma R/o Village-Lalpatti, ward no.-1, P.O-Katiya Mahe, District-Supaul

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Gopal Mistri S/o Bindeshwar Mistri R/o Village-Samari Bharna, P.O-Gopalpur, P.S.-Mahishi, District-Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Neeraj Kumar Singh
For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-08-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Pipra P.S. Case No. 245 / 2023 dated 28.07.2023 registered for the offence under Section 302, 304(B) and 34 of the I.P.C.

3. As per the First Information Report the marriage of the informant's daughter was solemnized on 03.05.2023 with the son of the petitioner according to Hindu rites and customs. It is alleged that very next day after marriage the daughter of the informant called him and informed him that her husband is demanding Rs. 1,50,000/- and a Bullet Motorcycle and threatening to oust her from home in case the demand is not fulfilled. On the fateful day of 27.07.2023 the informant



received information through his villager that his daughter has been killed by her in-laws in the evening. Listening about the incident, the informant along with his relatives reached at her daughter's matrimonial home where they found dead body of his daughter lying on the bed.

4. Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence in the manner alleged. The petitioner is the father-in-law of the deceased aged about 65 years. There is no eye witness of the occurrence. Even the informant himself is not an eye witness. Entire allegation is based on circumstantial evidence. He next submits that the co-accused Meena Devi i.e. wife of the petitioner and mother-in-law of the deceased has been granted regular bail by a Co-ordinate Bench this Court in Cr. Misc. No. 39311 of 2024 (Annexure-2).

5. I have heard learned counsel for the parties. The daughter of the informant was married to the son of the petitioner on 03.05.2023 and within a short span of two months and twenty four days i.e. on 27.07.2023 she was done to death due to non fulfillment of demand of dowry. Learned Additional Sessions Judge-II, Supaul while refusing the prayer for anticipatory bail has taken note of the fact that informant in his



re-statement in paragraph no. -10 of the case diary and witnesses in paragraph nos. 11 & 12 of the case diary have supported the factum of occurrence. The inquest report and post mortem report also corroborate the prosecution story. The nature of death is not important, as to whether, it was natural, accidental, homicidal or suicidal but within seven years of marriage the informant's daughter has been found dead and there is close proximity of time between demand of dowry and death of the informant's daughter. There is presumption against the petitioner under Section 117 & 118 of the Bharatiya Sakshya Adhiniyam being the father-in-law of the deceased. Accordingly, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

