

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45510 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- WAJIRGANJ District- Gaya

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1. Sita Devi W/o Vijay Prasad @ Vijay Yadav R/o Vill- Kurkihar Tola Araiya, Belaganj, P.S.- Gaya, Distt- Gaya
 2. Vijay Prasad @ Vijay Yadav S/o Late Damar Yadav R/o Vill- Kurkihar Tola Araiya, Belaganj, P.S.- Gaya, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Singh, Adv.
For the Informant/s	:	Mr. Sanjeev Kumar Singh, Adv.
		Mr. Kunwar Ajit Singh, Adv.
For the Opposite Party/s	:	Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 15-11-2025 Heard learned counsel for the petitioners; learned counsel for the informant and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 80 and 3(5) of the B.N.S., 2023.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and then the informant alleges that his daughter was married to Shiv Pujan (son of the petitioners) in May 2021 and next alleges that after marriage, the accused persons started demanding Rupees Five lakhs and on account of non-fulfillment of the demand, the victim was tortured, further the victim informed the informant about the demand; hence, the informant went to her matrimonial house to



make the accused persons understand, but they said that if the demand is not met, the victim would be killed. Next alleges that on 04.03.2025 he received an information that all accused persons killed his daughter by strangulating her. Accordingly, he came to the place of the occurrence and saw the dead body lying, and the accused persons were preparing for cremating the dead body. Accordingly, the informant informed the police, and the dead body was sent for postmortem.

4. Learned counsel for the petitioners submits that the petitioners, being mother-in-law and father-in-law, have been falsely implicated in the instant case by the informant. It is next submitted that the informant is not an eyewitness to the occurrence. It is also submitted that, no doubt, the death of the victim took place within seven years of marriage, and the presumption of law is against the husband of the deceased and his family members, but all deaths are not dowry deaths. It is further submitted that from perusal of the allegations of demand of dowry, it would manifest that the same is general and omnibus in nature. It is also submitted that the informant alleges that he had come to the matrimonial house of the deceased to make the accused understand not to demand dowry, on which it is alleged that the accused persons threatened that if the dowry demand was not met, the victim would be killed, but still the informant did not



take any action, nor did he take the victim along with himself, which casts an aspersion on the allegations as alleged in the FIR. It is also submitted that whenever any dispute arises 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 with general and omnibus allegations. It is next submitted that had the petitioners been involved in the occurrence, then efforts would have been made to dispose of the dead body with a view to conceal the evidence, but then the dead body was lying in the house and was sent for postmortem, and the informant falsely alleges that efforts were being made to cremate the dead body.

5. The learned counsel for the petitioners reiterates and submits that had the petitioners been involved in the occurrence, they would have made all efforts to ensure that the dead body was not sent for postmortem, or else the cause of death would be asserted. It is next submitted that the postmortem report records asphyxia and shock due to hanging. It is thus submitted that the victim committed suicide on account of differences with her husband. It is further submitted that the husband of the deceased is in custody. It is also submitted that the petitioners will not abscond but rather will cooperate in the investigation to prove their innocence.



6. Learned A.P.P. for the State and the learned counsel for the informant opposes the prayer for anticipatory bail of the petitioners.

7. 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 trial court 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 trial court where the case is pending/successor court in connection with Wazirganj P.S. Case No. 125 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. It is made clear that if the investigating officer of the case files an application before the learned Trial Court, bringing to its notice that the petitioners, despite giving assurance to this Court, are not cooperating in the investigation, in that event, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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