

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47589 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- BHAGWANGANJ District- Patna

1. Krishna Singh S/O Ramashrya Singh R/O Village- Gafurichak, P.S- Bhagwanganj, Distt.- Patna.
2. Radhika Devi W/O Krishna Singh R/O Village- Gafurichak, P.S- Bhagwanganj, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv.
Ms. Priyanka Singh
For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 30-07-2025 1. Heard learned Senior counsel for the petitioner, Mr. Yogesh Chandra Verma, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant, Mr. Bidhanesh Misra.
2. The learned Senior counsel for the petitioner, at the outset, seeks permission to withdraw the anticipatory bail application with respect to petitioner no. 1 (Krishna Singh) who was arrested during pendency of the instant anticipatory bail application.
3. Permission is accorded.
- 4. Accordingly, the anticipatory bail application is dismissed as withdrawn with respect to petitioner no. 1.**



5. The petitioner no. 2 apprehends her arrest in a case registered for the offences punishable under Sections 80(2), 238(b) and 3(5) BNS, 2023.

6. The learned Senior counsel appearing on behalf of the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that his daughter was married to Roshan on 14.05.2022, further at the time of marriage, gift of Rs. 12 Lakhs in cash apart from jewellery was given, out of the wedlock, a girl child was born on 14.03.2023, after the birth of the girl child, the husband of the victim (deceased) along with other accused persons including the petitioner started demanding Rs. 3 Lakhs for starting a business for Roshan and on account of non-fulfillment of the demand, the victim was tortured, it is next alleged that the victim was killed as the demand was not fulfilled. It is also alleged that on 22.02.2025, Krishna Singh, father-in-law of the deceased, informed the informant on his mobile that his daughter is ill and has died, accordingly on the information, the informant reached the place of occurrence when he came to know that his daughter was killed and her dead body was made to disappear.

7. The learned Senior counsel appearing on behalf of the petitioner submits that petitioner, being mother-in-law of the



deceased, has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that demand of dowry and torture is general and omnibus in nature. It is also submitted that in between 2022-2025 no case ever came to be instituted either by the informant or the victim alleging torture for non-fulfillment of the demand of Rs. 3 Lakhs. It is also submitted that a daughter was born out of the wedlock, as such, there appears no reason that as to why the petitioner and her family members after the birth of the grand child would have demanded dowry from the deceased, it is further submitted that whenever any occurrence of the nature as alleged takes place on account of dispute in between husband and the wife, the entire family members are implicated in a mechanical manner. It is also submitted that no doubt the presumption in law is against the petitioner, as the death occurred within three years of marriage, but then all deaths are not dowry deaths.

8. 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 petitioner.

9. The learned counsel appearing on behalf of the informant submits that no doubt it is difficult to countenance the



submissions made by the learned Senior counsel appearing on behalf of the petitioner, but then the conduct of the petitioner does not entitle her for grant of anticipatory bail. It is next submitted that no doubt it has been submitted that whenever any occurrence of the nature as alleged takes place, the entire family members are implicated, but in the instant case the informant was informed by the father-in-law of the deceased that the deceased is ill and has died, as such the informant got confused that as to whether the victim is ill or she has died, as such, he rushed to the matrimonial home of his daughter, but prior to that the dead body went missing, accordingly, the informant enquired from the villagers, when he came to know that victim was killed on 21.06.2025 and thereafter on 22.06.2025, the body was cremated and the father-in-law of the deceased on 22.06.2025 in the morning informed the informant though not clearly that the victim has died. It is also submitted that had the accused persons including the petitioner not been involved in the occurrence in that event no effort would have been made to conceal the evidence by disposing of the dead body. It is also submitted that no doubt all deaths are not dowry deaths, but then in the instant case presumption is against the accused persons, more so, when the body was not sent for postmortem, as such,



the cause of death could not be ascertained.

11. Considering the submissions made by the learned counsel appearing on behalf of the informant, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

12. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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