

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49399 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- MOTIPUR District- Muzaffarpur

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1. Kapildev Ray @ Kapil Ray S/o- Late Ramdev Ray Village- Senduari Po Ps- Motipur Dist- Muzaffarpur
 2. Chandeshwar Ray S/o- Late Ramdev Ray Village- Senduari Po Ps- Motipur Dist- Muzaffarpur
 3. Dhiraj Kumar S/o- Kapildev Ray @ Kapil Ray Village- Senduari Po Ps- Motipur Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Santosh Kumar , Advocate
For the State	:	Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-08-2025 Heard Mr. Santosh Kumar, learned counsel appearing on behalf of the petitioners and Mr. Pramod Kumar Pandey, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 103(1), 238 and 3(5) of the B.N.S..

3. The prosecution case, in brief, is that daughter of informant, namely Anita Devi, was married to co-accused Bindeshwar Rai approximately 18 years ago and she was constantly subjected to torture and harassment due to non-fulfillment of demand of dowry by all the accused persons,



including these petitioners. It is alleged that on 15.03.2025, informant received information that his son-in-law, namely Bindeshwar Rai, had murdered his daughter and was burning her dead body at *Bramhsthan* behind his house to destroy the evidence. Upon reaching the spot, informant saw that his son in law, assisted by all the accused persons named in the F.I.R., including these petitioners, was burning the dead body of the deceased and upon his arrival, all of them fled away and the dead body was found burnt.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. From bare perusal of the F.I.R. it is apparent that entire allegation is against co-accused Bindeshwar Rai, who happens to be husband of the deceased. Petitioners have falsely been implicated in this case merely because they happen to be *Pattidars* of co-accused Bindeshwar Rai and have got no concern with the affairs of the deceased and her husband. These petitioners are only alleged to have assisted co-accused Bindeshwar Rai in cremation of the deceased and there is absolutely no allegation of torture or demand of dowry against them. It is further submitted that co-accused Bindeshwar Rai is already in custody since 17.03.2025. Petitioners claim clean antecedents.



5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. First Class, West Muzaffarpur in connection with Motipur P.S. Case No. 86 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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