

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.49984 of 2025

Arising Out of PS. Case No.-483 Year-2024 Thana- GAURICHAK District- Patna

- =====

1.

Ravi Kumar S/O Late Santu Bind R/O Vill.- Beldarichak, P.S.- Gaurichak, District- Patna

2.

Rabita Devi @ Rabita Kumar @ Sangita Kumari D/O Late Santu Bind R/O Vill.- Beldarichak, P.S.- Gaurichak, District- Patna

3.

Phula Devi W/O Late Santu Bind R/O Vill.- Beldarichak, P.S.- Gaurichak, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad
For the Opposite Party/s : Mr. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 4

18-12-2025

1.

Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2.

This application, for grant of anticipatory bail, arises out of Gaurichak Police Station Case No. 483 of 2024, disclosing offences under Sections 80 and 3(5) of the BNS, 2023.

3.

As per the FIR, the marriage of the co-accused Sunny Kumar was solemnized with the informant's daughter on 22.04.2024. It has been alleged that, after the marriage, the



petitioners along with other accused persons started demanding dowry, and due to non-fulfillment of the demand, the informant's daughter has been killed by the petitioners and others by strangulation.

4. Learned counsel for the petitioners submits that petitioner no. 1 is brother-in-law of the deceased, petitioner no. 2 is sister-in-law and petitioner no. 3 is mother-in-law of the deceased. Allegations against the petitioners are general and omnibus in nature. The husband is in custody and his confessional statement was recorded by the police in which he has stated that the deceased was having love affair with some other boy, and when objected by the husband, she committed suicide.

5. I have heard learned counsel for the petitioners and the State, and have gone through the materials available on record. From perusal of the FIR, it appears that within 5 months of the marriage, the deceased met with an unnatural death in her matrimonial home. Demand of dowry is there against the petitioners and other family members. There is a close proximity of time of the demand of dowry and the unnatural death of the deceased in her matrimonial home. Within 5 months of the marriage, the death has taken place, as such, there



is a presumption under Sections 117 and 118 of the Bharatiya Sakshya Adiniyam, 2023, against the petitioners. The nature of death is not important whether it is suicidal, homicidal or accidental.

6. Considering the aforesaid discussion, I am not inclined to grant anticipatory bail to petitioner no. 3 as she is the mother-in-law of the deceased.

7. This application is, accordingly, rejected with respect to petitioner no. 3.

8. In so far as petitioner nos. 1 and 2 are concerned, they are brother-in-law and sister-in-law of the deceased, I am inclined to grant privilege of anticipatory bail to petitioner nos. 1 and 2.

9. This application is partly allowed to the extent indicated above.

10. Let the petitioner nos. 1 and 2, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IInd, Patna City, in connection with Gaurichak Police Station Case No. 483 of 2024, subject to the condition



laid down under Section 438 (2) of the Code of Criminal
Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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