

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50754 of 2025

Arising Out of PS. Case No.-89 Year-2025 Thana- KADIRGANJ District- Patna

1. Awdhesh Prasad S/O Jagdev Prasad Resident of village- Daulatpur, P.S.- Kadirganj, District- Patna
2. Shanti Devi W/O Awdhesh Prasad Resident of village- Daulatpur, P.S.- Kadirganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheonandan Pandit

For the Opposite Party/s : Mr. Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-08-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Kadirganj P.S. Case No. 89 of 2025, registered for the offences punishable under Sections 80 (2)(3)(5) of BNS, 2023.

3. The marriage of the daughter of the informant was solemnised with the son of the petitioners on 12.04.2024. Soon after the marriage, she was subjected to demand of dowry. On account of non fulfillment of the same, she was tortured in various ways. On 19.05.2025, the daughter of the informant on phone, called her father that she was forcibly administered poison by Manish Kumar (husband). On the information afore noted, the informant and others rushed to her matrimonial house



but no one was found there. The daughter of the informant was found in a private Hospital in Masaurhi and from where she was taken to Patna. However, in the way, she died on account of poisoning.

4. Learned Advocate for the petitioners submitted that the petitioners are none else but the parents-in-laws and moreover there is no specific allegation against them, rather specific allegation of administering poison is made against co-accused Manish Kumar, who is behind the bar, as stated in para-10. It is further submitted that from FIR and the impugned order it is evident that the deceased was taken to the nearby Hospital and, as such, had the intention of the accused persons to kill her, she would not have been extended the medical facilities. The post mortem report also suggests that there was contusion of left parietal scalp with haematoma underneath the scalp. The opinion regarding the cause of death was kept reserved pending till receipt of chemical analysis report of viscera. There is no mark of violence over the body of the deceased.

5. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that within a year the deceased was done to death and soon before the occurrence there was demand of dowry and the petitioners being



the parents-in-law, their complicity in the case of dowry death cannot be ruled out.

6. Having considered the submissions set forth by the learned Advocates for the respective parties and taking note of specific accusation against the husband as also the post mortem report which does not show any mark of violence and the cause of death is kept reserved, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Masaurhi, Patna in connection with Kadirganj P.S. Case No. 89 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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