

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58244 of 2025

Arising Out of PS. Case No.-445 Year-2025 Thana- SONEPUR District- Saran

Kumar Mithun Singh @ Mithun Kumar S/o Bhapati Singh R/o Village-
Sonpur, P.S.- Sonpur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ritwik Thakur, Adv. Ms. Vaishnavi Singh, Adv.
For the Opposite Party/s	:	Md. Mushtaque Alam, APP
For the Informant	:	Mr. Nawal Kishore Singh, Adv. Mr. Kamlesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-09-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State the learned counsel appearing on behalf of
the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 85, 80 and 61(2) of the BNS, 2023 read with Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that his daughter was married to Shivam on 04.12.2024, after marriage, the accused persons including the petitioner started demanding dowry of Rs. 5 Lakhs and a bullet



motorcycle and on account of non-fulfillment of the demand, the victim was tortured, it is next alleged that on 08.05.2025, the informant received an information on his mobile that the victim is ill, accordingly, he sent his family members to the matrimonial home of the victim, where they came to know that his daughter has been killed for non-fulfillment of dowry demand.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that no doubt the victim died within an year of marriage, as such presumption in law is against the husband of the deceased and his family members, but then all deaths are not dowry deaths. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that demand of dowry and torture is general and omnibus in nature. It is next submitted that the victim was carrying pregnancy and on account of complication which developed during pregnancy, she died. It is submitted that while the victim was pregnant, she was treated at *Kurji* Hospital and thereafter in different hospitals. It is also submitted that if the petitioner and his family members would have been involved in the occurrence of committing murder of the daughter of the



informant, in that event, efforts would have been made to dispose of the dead body with a view to conceal the evidence, but then the body was sent for postmortem. It is submitted that the postmortem report records the cause of death as ectopic pregnancy. It is submitted that the informant was well aware that the petitioner and his family members never demanded dowry nor tortured the victim and the death was on account of complications which developed during pregnancy. It is submitted that had the informant not been aware of the said fact, in that event on coming to know that the victim is suffering illness, the informant himself would have come to the matrimonial home of the victim, but he sent other family members. It is next submitted that the husband of the deceased is in custody.

5. The 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, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that the victim died on account of complication which developed during pregnancy as recorded in the postmortem report.

6. Considering the submissions made by the learned



counsel for the petitioner, the petitioner above-named, in the event of his 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) 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 Sonpur P.S. Case No. 445 of 2025 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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