

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60155 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- TARABARI District- Araria

1. Anis @ Younus @ Yunus S/O Late Hamid R/O Vill.- Baturbari, Ward No. 12, P.S.- Tarabari, District- Araria
2. Naushad @ Md. Naushad S/O Anis @ Younus @ Yunus R/O Vill.- Baturbari, Ward No. 12, P.S.- Tarabari, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md Naushaduzzoha, Advocate
For the Opposite Party/s	:	Mr. Ramchandra Sahni, A.P.P.
For the Informant	:	Mr. Sanjay Kumar, Advocate
		Mr. Rashmi Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-09-2025 1. Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel appearing on behalf of the
informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 80 and 3(5) of the BNS.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of five cases and petitioner no. 2 has antecedent of four cases and the informant alleges that his daughter was married to Md. Babul on 10.04.2025. After marriage, the accused persons including the petitioners started torturing his daughter for dowry of a motorcycle and a mobile. It is further alleged that on 09.05.2025 the daughter of the informant called



and informed that if motorcycle is not given then the accused persons may kill her. Further, at 05.07 a.m., the son-in-law of the informant called and disclosed that the victim has committed suicide, accordingly, he went to the place of occurrence along with his family members and saw the dead body of his daughter, thus, alleges that the accused persons including the petitioners killed his daughter.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant merely for the reason that they also reside in the same village. It is further submitted that petitioner no. 1 is maternal grandfather-in-law of the husband of the deceased and petitioner no. 2 is maternal father-in-law of the husband of the deceased and they reside separately. It is next submitted that informant is not an eyewitness to the occurrence. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the allegation of demand of dowry and torture is general and omnibus in nature. It is further submitted that no doubt the victim died within a very short span of time after marriage but then all deaths are not dowry deaths. It is next submitted that whenever any dispute arises in between the husband and the wife and the occurrence of the nature as alleged takes place the entire family members are implicated in a mechanical manner with general and



omnibus allegation. It is also submitted that had the petitioners been involved in the occurrence in that event efforts would have been made to dispose of the dead body with a view to conceal the evidence but then from perusal of the allegation as alleged in the FIR, it would manifest that it was son-in-law of the informant who informed him about the occurrence. It is further submitted that had the petitioners been involved in that event efforts would have been made to ensure that the dead body is not sent for postmortem or else the cause of death shall be ascertained but then no such effort was made.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioners but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioners that petitioners are maternal grandfather-in-law and maternal father-in-law of the husband of the deceased and they reside separately but in the same village and also that informant is not an eyewitness to the occurrence and the allegation hinges around suspicion.

6. Learned counsel appearing on behalf of the informant at this stage submits that petitioners have antecedent of five and four cases and if the privilege of anticipatory bail is granted to the petitioners, the petitioners may abscond on which learned counsel



appearing on behalf of the petitioners submits that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

7. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their 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) each 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 Tarabari P.S. Case No. 37 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. However, if the investigating officer of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this Court are not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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