

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63971 of 2025

Arising Out of PS. Case No.-720 Year-2024 Thana- HISUWA District- Nawada

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1. Manju Devi @ Manju Sharma W/o Yogendra Prasad Sharma R/o vill - Mahanandchak, P.S. - Tharthari, Distt.- Nalanda
 2. Pammi Kumari W/o Raj Kumar R/o vill - Mahanandchak, P.S. - Tharthari, Distt.- Nalanda
 3. Manish Kumar S/o Yogendra Prasad Sharma R/o vill - Mahanandchak, P.S. - Tharthari, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sharma, Adv.
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP
For the Informant : Mr. Vibhuti Ranjan Sonvadra, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-09-2025 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 54, 85, 103(1), 61(2)(a) and 3(5) of the BNS, 2023 read with Sections



3 /4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner nos. 1 and 2 are women and the informant alleges that his sister was married to Sudhir in the year 2012, further at the time of marriage, the accused persons had demanded Rs. 10 Lakhs in cash and ornaments worth Rs. 10 Lakhs, after marriage, the accused persons used to pressurize his sister for fulfilling the demand, further his father gave Rs. 10 Lakhs, thereafter informant also gave Rs. 1.5 Lakhs to Sudhir for constructing a coaching institute on the land which was purchased by the father of Sudhir at Hisua, it is next alleged that out of the wedlock, two children were born, further alleges that on 27.11.2024 when his sister's children came back from school, they saw her mother lying with *dupatta* tied along her neck and she was not responding, accordingly, they started crying, on which neighbours gathered and informant was informed who came to the place of occurrence and saw his sister dead and it appeared that she was assaulted.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant, it is next submitted that petitioners are mother-in-



law, *Gotni* and *Dewar* of the deceased. It is also submitted that informant is not an eye witness to the occurrence and the entire allegation hinges around suspicion. It is next submitted that allegation of demand of dowry and torture is general and omnibus in nature. It is further submitted that the marriage of the deceased with Sudhir took place in the year 2012 and in between 2012 till the date of occurrence, no FIR or complaint case came to be instituted either by the victim or the informant alleging demand of dowry and torture. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the occurrence took place at Hisua while petitioners are resident of Nalanda i.e. they were not residing with the deceased and her husband rather informant who is brother of the deceased also resided at Hisua where deceased along with her husband and children were residing in a rented house. It is also 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 reiterated and submitted that petitioners reside separately from the husband of the deceased at Nalanda. It is next submitted that the dead body was sent for postmortem and



the postmortem report records violent asphyxia due to strangulation, which amply demonstrates that the deceased at her rented premises was strangled to death in absence of her children, but then who strangled is an aspect of investigation, but definitely petitioners were not present at the place of occurrence.

5. 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 petitioners, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that deceased along with her husband and children were residing in a rented premises at Hisua while the petitioners who are related to the husband of the deceased reside at Nalanda and informant is not an eye witness to the occurrence and the marriage was more than 12 years old.

6. Considering the submissions made by the learned counsel for the petitioners, 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 Hisua
P.S. Case No. 720 of 2024 subject to the conditions as laid down
under Section 482 (2) of the BNSS.

**7. Accordingly, the instant anticipatory bail
application is allowed.**

(Satyavrat Verma, J)

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