

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68136 of 2025

Arising Out of PS. Case No.-204 Year-2024 Thana- CHANDI District- Bhojpur

Monu Kumar @ Jhunu Paswan S/O Gopichand Paswan R/O Naya Vill. Narhi,
P.S.- Chandi, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Roshan Kumar

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-10-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 80 & 3(5)
of the B.N.S., 2023.

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 Sonu in the year 2021,
after marriage the accused persons were demanding a
motorcycle and on account of non-fulfillment of the demand,
the victim was tortured, further on 14.11.2024, his daughter
called and started weeping and disclosed that her life is in
danger, on query, the victim disclosed that she is being assaulted
by Sonu, petitioner and Gopi, further on 15.11.2024, the victim



called the informant at 8 A.M., 10 A.M. and 12 Noon, thereafter the informant along with Gopal, Umesh and Govinda at 2 P.M. reached the matrimonial house of his daughter, where he saw the dead body of his daughter was hanging from a fan, thus alleges that accused persons including the petitioner and Gopi killed her and to give impression of suicide, hanged the dead body, further out of the wedlock, a child was born, who is aged about 2 ½ years.

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 from perusal of the allegation, as alleged in the FIR, it would manifest that informant is not an eyewitness to the occurrence and the entire allegation hinges around suspicion. It is next submitted that as far as allegation of demand of dowry and torture is alleged, the same is general and omnibus in nature. 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. The learned counsel next submits that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that on 14.11.2024



called him and was weeping and disclosed that she was being assaulted by the accused persons including the petitioner but then the informant on 14.11.2024 did not go to the house of the victim to enquire that as to what was happening. It is also submitted that though the informant alleges that on 15.11.2024 at 8.00 A.M., 10.00 A.M. and 12.00 Noon, the victim called but in the F.I.R. it is not disclosed that as to what was disclosed to him. It is further submitted that had the petitioner along with other accused been assaulting the deceased on 14.11.2024, in that event, it does not appear probable that the petitioner along with other accused persons would have allowed the victim to call the informant informing that she was being assaulted, which also casts an aspersion on the case of the prosecution. It is further submitted that since there was a dispute in between the husband and the wife, the victim committed suicide. The learned counsel for the petitioner next submits that he has a copy of the postmortem report and from perusal of the same, it would manifest that the same records cause of death-asphyxia due to hanging leading to cardio-respiratory arrest and death. It is next submitted that the postmortem report does not even remotely suggest that any external injury was caused to the victim. It is further submitted that husband of the deceased along with the



father-in-law are in custody. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 Court below 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 Chandi P.S. Case No.204/2024, subject to the conditions as laid down under Section 482(2) B.N.S.S.

(Satyavrat Verma, J)

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