

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63687 of 2025

Arising Out of PS. Case No.-240 Year-2025 Thana- BALIYA District- Begusarai

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1. Sita Devi W/o Binod Rajak @ Bino Rajak R/o Village - Barbghi, P.S - Ballia (Balliya), District - Begusarai
 2. Binod Rajak @ Bino Rajak S/o Yugal Rajak @ Jugal Rajak R/o Village - Barbghi, P.S - Ballia (Balliya), District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-09-2025 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in anticipation of their
arrest in a case registered for the offences punishable under
Sections 80 and 3(5) of the Indian Penal Code.

3. The learned counsel for the petitioners submits that
the petitioners are persons with clean antecedent and the
informant alleges that his sister was married to Ravish Kumar
on 05.02.2025, after marriage, the accused persons started
demanding Rs.3 Lacs, motorcycle and bed, on account of non-
fulfilment of the demand, his sister was tortured. Further, on
12.06.2025 at 6.00 A.M., he received an information that his



sister has been killed. Accordingly, he reached the place of occurrence and found the house locked and he was informed that dead body of his sister has been taken to Begusarai Sadar Hospital for post mortem. Accordingly, he reached the hospital and saw the dead body of his sister lying.

4. The learned counsel for the petitioners submits that petitioners, being mother in-law and father in-law, have been falsely implicated in the instant case by the informant. It is next submitted that the informant is not an eye witness to the occurrence and the entire allegation hinges around suspicion. It is further submitted that even allegation of demand and torture is general and omnibus in nature. It is next submitted that death of the sister of the informant took place within seven years of marriage, as such, there is a presumption in law against the husband of the deceased and his family members, but then, all deaths are not dowry deaths. It is also submitted that even conduct of the accused has to be appreciated. It is next 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 FIR itself, it would manifest that the dead body was sent to Sadar Hospital Begusarai for post



mortem. It is next submitted that whenever any dispute arises in between the husband and 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 further submitted that the post mortem report records the cause of death as:- “ingestion of poison”. It is reiterated and submitted that had the petitioners been involved, in that event, efforts would have been made not to send the dead body for post mortem or else the cause of death would be ascertained. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. opposes the anticipatory bail application.

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 Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Ballia (Balliya) P. S. Case No.240 of 2025, subject to the conditions laid down under



Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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