

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66248 of 2025**

Arising Out of PS. Case No.-146 Year-2025 Thana- PUPRI District- Sitamarhi

1. Marni Devi @ Premiya Devi W/O Hari Kishore Mahto R/O Village- Pupri Ward No. 3, P.S- Pupri, Distt.- Sitamarhi.
2. Hari Kishore Mahto S/O Vilash Mahto R/O Village- Pupri Ward No. 3, P.S- Pupri, Distt.- Sitamarhi.
3. Rajan Mahto @ Rajan Kumar @ Ranjan Mahto S/O Hari Kishore Mahto R/O Village- Pupri Ward No. 3, P.S- Pupri, Distt.- Sitamarhi.
4. Radhe Mahto @ Radhe Kumar S/O Hari Kishore Mahto R/O Village- Pupri Ward No. 3, P.S- Pupri, Distt.- Sitamarhi.
5. Ramji Mahto S/O Ram Nandan Mahato R/O Village- Belahi Nilkanth, P.S- Runnisaidpur, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                 |
|--------------------------|---|---------------------------------|
| For the Petitioner/s     | : | Mr. Santosh Kumar, Adv.         |
| For the Opposite Party/s | : | Mr. Chandra Bhushan Prasad, APP |
| For the Informant        | : | Mr. Krishna Murari, Adv.        |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 3      02-12-2025      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 80 and 3(5) of the BNS, 2023.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that his daughter was married to Raju on 09.03.2025,



after marriage, the accused persons including the petitioners started torturing the victim for dowry of Rs. 1 Lakh, further the victim came at the time of Holi and disclosed that the accused persons may kill her for dowry, next alleges that on 29.04.2025, he received a call and the caller informed that his daughter is lying dead and the accused persons are absconding, next alleges that after cremation, the FIR is being instituted.

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 from perusal of the allegation as alleged in the FIR, it would manifest that allegation of demand of dowry and torture is general and omnibus in nature. 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 no doubt the victim died within seven years of marriage, but then all deaths are not dowry deaths. It is further 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 that was not done rather the dead body was sent for postmortem and from the postmortem report, it manifests that the doctor has recorded the cause of death as



asphyxia due to hanging. 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 allegations. It is further submitted that petitioners are mother-in-law, father-in-law, brother-in-laws and maternal uncle of the husband of the deceased. It is next submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application 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 allegation of demand of dowry and torture is general and omnibus in nature and informant is not an eye witness to the occurrence.

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 Pupri P.S. Case No. 146 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite giving assurance to this Court are not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

**9. Accordingly, the instant anticipatory bail application stands allowed.**

**(Satyavrat Verma, J)**

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