

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69006 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- MUSRIGHRARI District- Samastipur

1. Rahul Kumar S/o Ram Pravesh Singh @ Surendra Prasad Singh R/o Village- Malpur, P.S.- Patepur, District- Vaishali
2. Dipa Kumari W/o Rahul Kumar R/o Village- Malpur, P.S.- Patepur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bindeswari Singh, Adv.

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners are apprehending arrest in connection with Mushrigharari P.S. Case No. 59 of 2025 registered for the offences punishable under Sections 80(2), 3(5) B.N.S. and 3/4 of the Dowry Prohibition Act.

3. As per prosecution case, there is allegation against the petitioner and others who are said to have concernedly physically and mentally tortured the informant's daughter for demand of dowry. It is further alleged that dead body of informant's daughter was found in hanging position. It is further alleged that all the accused persons, under conspiracy,



have committed murder of informant's daughter for non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the first information report and they have been falsely implicated in this case. It is submitted that petitioner no. 1 is Behnoi (brother-in-law) of the husband of the deceased and petitioner no. 2 is the own sister of the husband of the deceased and they are living separately. It is further submitted that petitioners were not present at the place of occurrence on the alleged date and time of the occurrence. It is further submitted that petitioners have been falsely implicated in this case merely because they are relatives of the husband of the deceased. It is further submitted that petitioners have no say in the family affairs of the deceased and her husband. It is orally submitted that husband of the deceased is already in jail. Petitioners have no criminal antecedent.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners and submits that petitioners are named accused and they cannot escape from the allegations levelled in the first information report.



6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, petitioners are living separately and have no say in the family affairs of the deceased, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Samastipur in connection with Musrigharari P.S. Case No. 59 of 2025, subject to the conditions as laid down under section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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