

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67183 of 2025

Arising Out of PS. Case No.-66 Year-2025 Thana- ABADPUR District- Katihar

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1. Md. Rahim S/o- Late Lakho Resident of Village- Bochbari PS- Abadpur, Dist- Katihar
 2. Aaso Khatoon @ Aso Khatoon W/o- Md. Rahim Resident of Village- Bochbari PS- Abadpur, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-10-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 80, 85 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 her daughter was married to Md. Taleb about four years ago, after marriage, the accused persons were torturing her for dowry, further on 18.06.2025 informant was informed that her daughter committed suicide, accordingly, she reached the place of occurrence and found the dead body lying on a cot.



4. Learned counsel for the petitioners submits that petitioners, being father-in-law and mother-in-law, have been falsely implicated in the instant case by the informant, it is next submitted that informant is not an eye witness to the occurrence. It is also submitted that marriage of the deceased with the son of the petitioners was four years old and in these four years, no case ever came to be instituted either by the deceased or the informant alleging torture on account non-fulfillment of dowry demand. 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 from perusal of the allegation as alleged in the FIR, it would manifest that the same also does not disclose that as to what was being demanded in dowry by the accused persons. It is further submitted that the dead boy was found lying on the cot when the informant came to the place of occurrence. 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 evidence, but then the dead body was sent for postmortem for ascertaining the cause of death. It is next



submitted that from perusal of the order impugned, it would manifest that in the postmortem report, it was recorded asphyxia due to strangulation, but then it is submitted that petitioners were not involved in the occurrence and the husband is in custody. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

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

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 Abadpur P.S. Case No. 66 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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