

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71703 of 2025

Arising Out of PS. Case No.-218 Year-2025 Thana- DUMRA District- Sitamarhi

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1. Rajwati Devi W/O Baldeo Mukhiya Resident of Village- Hari Chapra, Ward No.12, P.S.- Dumra, Dist- Sitamarhi
 2. Baldeo Mukhiya S/O Late Anup Mukhiya Resident of Village- Hari Chapra, Ward No.12, P.S.- Dumra, Dist- Sitamarhi
 3. Manju Devi @ Vishanpurwali W/O Shital Mukhiya @ Ram Shital Mukhiya Resident of Village- Hari Chapra, Ward No.12, P.S.- Dumra, Dist- Sitamarhi
 4. Shital Mukhiya @ Ram Shital Mukhiya S/O Baldeo Mukhiya Resident of Village- Hari Chapra, Ward No.12, P.S.- Dumra, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.
For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-11-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Dumra P.S. Case No. 218 of 2025 registered for the offences punishable under Sections 103(1), 238, 61 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 Jagarnath Mukhiya about 12 years back, further from the wedlock, three children



were born, but the accused persons after marriage were demanding a motorcycle and for non-fulfillment of the demand, the victim was tortured, but on intervention of the informant and well wishers, they started treating the victim well, next alleges that her daughter on 01.05.2025 was killed for non-fulfillment of demand of a motorcycle and the accused persons cremated her dead body and the information about the occurrence was given to her by her son.

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 the entire allegation hinges around suspicion and informant is not an eye witness to the occurrence. It is next submitted that marriage was more than 12 years old and in these 12 years, no case ever came to be instituted either by the deceased or the informant alleging torture on account of non-fulfillment of demand of dowry. It is also submitted that allegation of demand of dowry and torture is general and omnibus in nature and the victim died a natural death. It is also submitted that the husband of the deceased is in judicial custody and the informant later realizing her mistake entered into a compromise with the accused persons.



5. Learned A.P.P. for the State vehemently opposes the anticipatory bail application and submits that no doubt it is difficult to countenance the submissions of the learned counsel appearing on behalf of the petitioners that the marriage was more than 12 years old and in these 12 years, no case ever came to be instituted either by the victim or the informant alleging torture on account of non-fulfillment of the demand of dowry, but then the learned APP submits that from perusal of the allegation as alleged in the FIR, what is not disputed is that the victim died and whether the death was a natural death or she was killed is an aspect of investigation. It is also submitted that had the petitioners not been involved in the occurrence, in that event efforts would have been made to get the postmortem of the victim done or to obtain a death certificate from a doctor certifying that the deceased died a natural death. It is next submitted that since the dead body of the victim was cremated without information to the informant that in itself demonstrates that something was amiss, as the informant alleges that she came to know about the occurrence not from the family members of the husband of the deceased but from her son. It is next submitted that it appears that the informant subsequently was gained over, as such, she entered into a compromise, but



then the offence is not compoundable and investigation is in its nascent stages.

6. Considering the submissions made by the learned APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioners.

7. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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