

TIN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71772 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- CHAKAND District- Gaya

1. Mithilesh Manjhi @ Mithlesh Manjhi S/O Sri Janardhan Manjhi R/O Village- Chakand Garh, Police Station- Chakand, District- Gaya
2. Lalita Devi W/O Mithilesh Manjhi @ Mithlesh Manjhi R/O Village- Chakand Garh, Police Station- Chakand, District- Gaya
3. Chandan Manjhi @ Chandan Kumar @ Chandan Manjhi Kumar S/O Mithilesh Manjhi @ Mithlesh Manjhi R/O Village- Chakand Garh, Police Station- Chakand, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-10-2025 **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 and 3(5) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that her daughter was married to Kundan about an year ago, further after marriage, the accused persons including the petitioners were demanding dowry of Rs. 1 lakh and a motorcycle and on non-fulfillment of the demand, the victim



was tortured. It is next alleged that on 5-4-2025, the father-in-law of the deceased at 6 a.m. called the husband of the sister-in-law (nanad) of the informant and disclosed that the victim died, accordingly the informant was informed about the occurrence, in pursuance whereof she along with her family members came to the place of occurrence and saw the dead body of the victim lying, thus alleges that accused persons for non-fulfillment of dowry demand strangled the victim to death.

4. The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the informant is not an eyewitness to the occurrence. It is also submitted no doubt the victim died within an year of marriage and presumption is against the husband of the deceased and his family members, but then all deaths are not dowry death. It is submitted that allegation of demand of dowry and torture is general and omnibus in nature. 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 the dead body was lying in the matrimonial home and was sent for post-mortem for



ascertaining the cause of death, it is thus submitted that had the petitioners been involved, in that event they would never have wanted the post-mortem to take place or else the cause of death would come to the fore. It is also 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 next submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence. It is further submitted that the husband of the deceased is in custody.

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 Chakand P.S. Case No. 104 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 the petitioners, despite giving assurance to this Court, are not cooperating 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.

(Satyavrat Verma, J)

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