

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73788 of 2025

Arising Out of PS. Case No.-278 Year-2025 Thana- PIRPAINTI District- Bhagalpur

1. Md. Hussain @ Md. Hasan S/O Md. Mokim R/O Village- Pirpainti Bazar, Pashchim Tola, Police Station- Pirpainti, District- Bhagalpur.
2. Gudia Khatoon @ Gudia @ Gudiya W/O Md. Ahsan R/O Village- Pirpainti Bazar, Pashchim Tola, Police Station- Pirpainti, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-11-2025 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 offence punishable under Sections 80 and 3(5) of the B.N.S.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no.2 is a woman and the informant alleges that her daughter about 8-9 months back was married to Jishan, further after marriage, her daughter was tortured by the accused persons and they demanded money and the victim used to disclose about the occurrence, further on 19.06.2025 at 8.00 P.M. the accused



persons including the petitioners killed her daughter, accordingly on receiving information, the informant came to the place of occurrence and saw the dead body of her daughter was lying and no one was present in the house.

4. Learned counsel submits that petitioner no.1 is aged about 19 years and petitioner no.2 is aged about 22 years and are brother-in-law (Devar) and married sister-in-law (Nanad) of the deceased. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that husband has not been implicated as an accused in the instant case by the informant for reasons best known. It is also submitted that even demand of dowry is general and omnibus in nature. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that the accused persons were demanding money but what amount was being demanded is not disclosed. It is also submitted that the dead body was lying in the house which amply demonstrates that no effort was made by the accused persons to dispose of the dead body with a view to conceal evidence. It is next submitted that had the accused persons including the petitioners been involved in the occurrence then their effort would have been to dispose of the dead body to ensure that postmortem is not done or else the



cause of death would be ascertained. It is next submitted that from perusal of the order impugned, it would manifest that the same also records that the postmortem report wherein the doctors have recorded the cause of death as- *‘that the death was due to asphyxia and venous congestion caused due to combined effect of throttling and ligature strangulation.’* It is reiterated and submitted that husband is not an accused and the father-in-law and mother-in-law are in custody. It is next submitted that informant is not an eyewitness to the occurrence as such the entire allegation hinges around suspicion, more-so when demand of dowry is general and omnibus in nature and husband is not an accused. It is also submitted that petitioner no.2 does not reside at the house where the occurrence took place rather is living at her matrimonial home. 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 Court below 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 learned trial court where the
case is pending/successor court in connection with Pirpanti P.S.
Case No.278/2025, subject to the conditions as laid down under
Section 482(2) of the B.N.S.S.

(Satyavrat Verma, J)

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