

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75427 of 2025

Arising Out of PS. Case No.-142 Year-2025 Thana- GOPALPUR District- Bhagalpur

1. Gopal Mandal @ Gopal Kumar Son of Bhujangi Mandal Resident of Village- Tirasi PS -Gopalpur, Dist- Bhagalpur
2. Bhujangi Mandal son of Late Permeshwar Mandal Resident of Village- Tirasi PS -Gopalpur, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-12-2025 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, 238 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.1 is aged about 18 years and the informant alleges that his daughter was married to Santosh in the year 2019, out of the wedlock, two girl child were born, next alleges that his other son-in-law called on 14.08.2025 and informed that victim was killed, accordingly, he reached the place of occurrence on



14.08.2025 at 8.00 A.M. and searched the victim in the house but she was not found accordingly, he inquired from the accused persons about his daughter but they were not able to give any satisfactory reply, thus alleges that his daughter was killed and her body was thrown for non-fulfillment of dowry demand of motorcycle and money, further earlier also the accused had also assaulted his daughter for non-fulfillment of dowry demand.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant being brother-in-law and father-in-law of the deceased. It is next submitted that informant is not an eyewitness to the occurrence as such the entire allegation hinges around suspicion. It is further submitted that the daughter of the informant was married to Santosh in the year 2019 and out of the wedlock two children were born but then in between 2019 till the institution of the instant FIR i.e. in the year 2025, no case either at the instance of deceased or the informant came to be instituted alleging torture for non-fulfillment of dowry demand. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that allegation of demand of dowry is general and omnibus in nature and the amount of money being demanded has also not been disclosed. It is next submitted



that during the course of investigation the dead body was recovered from a river and accordingly was sent for postmortem and the doctor opined the cause of death as asphyxia due to drowning. It is thus submitted that the allegation of the informant that the victim was killed and thereafter her body was thrown gets belied, as it appears that the victim died on account of drowning. 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 allegation. It is next submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence. It is also 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 but then after perusing the case diary fairly submits that the cause of death in the postmortem has been opined as asphyxia due to drowning.

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 Gopalpur
P.S. Case No.142/2025, subject to the conditions as laid down
under Section 482(2) of the B.N.S.S.

(Satyavrat Verma, J)

amit/-

U		T	
---	--	---	--

