

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80293 of 2025

Arising Out of PS. Case No.-576 Year-2025 Thana- SIKARPUR District- West Champaran

Rakesh Kumar S/O Vaidhanath Sah R/O Vill.- Shantibag, Pandey tola, P.S.-
Shikarpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-12-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 80(2) and 3(5) of the B.N.S.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that her daughter was married to Amit Kumar
on 30.04.2025. After marriage, the accused persons were
demanding Rs.50,000/- and on non-fulfilment of demand, the
victim was tortured. Further, the victim disclosed about demand
and torture to the informant. It is next alleged that on
10.06.2025, the informant received an information that the
victim has been killed. Accordingly, she reached the place of



occurrence and found the dead body of her daughter with mark of injuries on neck, waist, thigh and back.

4. The learned counsel for the petitioner submits that petitioner, being brother in-law, has been falsely implicated in the instant case by the informant. It is asserted and submitted that petitioner, being brother in-law of the deceased, was living separately from Amit even much prior to his marriage. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that allegation of demand and dowry is general and omnibus in nature. It is further submitted that informant is not an eye witness of the occurrence and the entire allegation hinges around suspicion. It is also submitted that no doubt, the victim died within seven years of marriage and presumption in law is against the husband and his family members, but then, of late in mechanical manner, the entire family members are being implicated with general and omnibus allegation. It is also submitted that whenever any dispute arises in between the husband and the wife and the occurrence of the nature as takes place, the entire family members are implicated with general and omnibus allegation. It is also submitted that had the petitioner 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, dead body was sent for post mortem for ascertaining the cause of death and the doctors have opined the cause of death as asphyxia due to hanging. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) 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 Shikarpur P. S. Case No.576 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the



investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

9. 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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