

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 79645 of 2025

Arising Out of PS. Case No.-77 Year-2025 Thana- RAFIGANJ District- Aurangabad

Santosh Sao @ Santosh Kumar @ Santosh Kumar Sao Son of Panna Sao @
Panna Lal Sao Resident of village Kotwara, P.S.- Rafiganj, District -
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate

For the Opposite Party/s : Mrs. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Rafiganj P.S. Case No. 77 of 2025, dated 14.02.2025, lodged under Section 80, 238(a) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”), pending before the Court of C.J.M., Aurangabad.

3. As per the prosecution, FIR has been lodged against seven named accused persons, including the present petitioner, alleging that the accused repeatedly tortured and harassed the girl (deceased) for dowry, and due to non-fulfillment of the dowry demand, the informant’s daughter was killed by the accused in connivance with each other.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He further submits that the petitioner is the husband of the deceased and he was on duty on the date of the occurrence. He further submits that the couple had a son from their wedlock, who is about 2½ years old.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that it has been acknowledged by the Trial Court that the dead body of the informant's daughter was cremated hastily with the intention of concealing evidence of the crime. He further submits that the Forensic Science Laboratory has also acknowledged that the dead body of the victim was cremated by the in-laws without conducting a post-mortem. He also submits that the deceased died within seven years of her marriage, and that too at her matrimonial home.

6. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

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