

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89290 of 2024

Arising Out of PS. Case No.-165 Year-2024 Thana- SARMERA District- Nalanda

Ramanuj Kumar S/o Paras Pandit R/o - Dhanuki, P.S - Sarmera, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 04-07-2025 Heard the learned Advocate for the petitioner and the learned APP for the State.

2. The petitioner apprehends his arrest in connection with Sarmera P.S. Case No. 165 of 2024, registered for the offences punishable under Sections 80(2), 61(2) and 3(5) of the BNS, 2024.

3. Allegedly, the marriage of the sister of the informant was solemnized with the petitioner on 25.04.2021, as per the Hindu rites and rituals. Soon after the marriage, she was subjected to demand of dowry. It is further alleged that on account of the fact that the deceased was not able to have any child, she was also subjected to torture and finally she was done to death on 02.08.2024. On the information, the informant and



others rushed to the matrimonial home and found the dead body of the deceased.

4. Learned Advocate for the petitioner taking this Court through the written report has submitted that the informant himself has stated that she was under depression, on account of none procuring of child and in fact, this was the reason which led to commission of suicide by the deceased. The date on which the alleged occurrence took place, it is submitted, the petitioner was at Nagpur (Maharashtra) and discharging his duty as Assistant Railway Pilot. Referring to the post-mortem report, he further submits that there is no mark of any violence over the body of the deceased and the cause of death is said to be asphyxia due to antemortem hanging.

5. A supplementary affidavit has also been filed with the averments that as the petitioner has been pursuing his remedy, in the meantime, trial with respect to other accused persons separated and the learned Trial Court recorded deposition of two of the witnesses. The brother of the deceased Manendra Kumar has categorically admitted the fact that the petitioner was all along on duty on the alleged date of occurrence. Similarly, the informant of this case was also examined as PW-2 in the trial and has supported the factum of his absence on the alleged date of occurrence. Both the



witnesses have not supported the prosecution case. It is lastly contended that be that as it may, the petitioner is willing and ready to co-operate in the trial and shall abide all the terms and conditions.

6. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the petitioner is none else but the husband of the deceased and the deceased died within four years of the marriage and there is a demand of dowry soon before the death and, as such, the dowry death cannot be ruled out.

7. Regard being had to the submissions made on behalf of the parties and considering the deposition of the witnesses, including the informant as also the post-mortem report, coupled with the specific statement of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned JMFC Nalanda at Bihar Sharif in connection with Sarmera P.S. Case No. 165 of 2024, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of



the bailors shall be the own/close family members of the
petitioner.

(Harish Kumar, J)

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