

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.566 of 2025**

Arising Out of PS. Case No.-23 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

1. Babban Rai @ Baban Ray Son of Nathuni Ray Village -Alepur P.S- Baikunthpur District -Gopalganj
2. Sangita Devi Wife of Ravindra Kumar Ray village- Vishunpur Nishak, Ps- Bishunpur, Dist- Gopalganj
3. Rani Devi @ Rani Kumari Wife of Deepak Yadav village- Ekauna, Ps- mashrakh, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Arun Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      11-02-2025      1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor representing the State.
2. This application, for grant of anticipatory bail, arises out of Baikunthpur Police Station Case No. 23 of 2024, dated 29.01.2024, registered for the offences punishable under Sections 304-B/34 of the Indian Penal Code.
3. The prosecution case, as per the First Informant Report, is that on 29.01.2024, the informant received information that his daughter has been killed by the petitioners and others for demand of dowry. When the informant went to the matrimonial home of his daughter, he found his daughter dead in her matrimonial home and all the family members had fled away.



4. Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case with ulterior motive. He further submits that the deceased was mentally ill and she had committed suicide. He further submits that the petitioner no. 1 is the father-in-law; whereas the petitioner nos. 2 and 3 are the married nanad of the deceased.
5. On the other hand, learned Additional Public Prosecutor vehemently opposed the prayer for bail and submits that within one year of the marriage, the deceased was killed by her in-laws for demand of dowry.
6. I have heard learned counsel for the parties and have gone through the materials on record including the impugned order.
7. Within one year of the marriage, the informant's daughter died an unnatural death in her matrimonial home. The nature of death is not important whether it is natural, suicidal or accidental but the fact of the matter is that deceased died an unnatural death within one year of her marriage. There is a presumption against the accused persons under Section 113(A) and 113(B) of the Evidence Act. The offence is serious in nature and the punishment



thereof is also serious.

8. Accordingly, I am not inclined to grant anticipatory bail to the petitioner no. 1.
9. This application, so far as petitioner no. 1 is concerned, is dismissed.
10. However, considering the fact that the petitioner nos. 2 and 3 are the married nanad of the deceased, I am inclined to grant them privilege of anticipatory bail.
11. Let the petitioner nos. 2 and 3, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Baikunthpur Police Station Case No. 23 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.
12. This application, so far as petitioner nos. 2 and 3 are concerned, is allowed.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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