

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3146 of 2025

Arising Out of PS. Case No.-196 Year-2024 Thana- ARA MUFFSIL District- Bhojpur

1. Prakash Kumar @ Prakash Mali, S/o Santosh Mali,
2. Santosh Mali, S/o Late Gurucharan Mali,
3. Urmila Mali @ Pramilla Mali @ Urmila Devi, W/o Santosh Mali
All are residents of village- Barka Dumra, P.S. - Ara (Muffasil), District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sheo Jee Mishra, Advocate
For the State	:	Mr. Kumar Veerendra Narayan, APP
For the Informant	:	Mr. Raju Kumar Singh, Advocate
		Mrs Anju Kumari Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 19-04-2025 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

2. In the present case, the petitioners seek bail in connection with Ara (Muffasil) P.S. Case No. 196 of 2024, registered for the offences under Sections 103(1), 85, 3 (5) of BNS, 2023.

3. As per the prosecution case, marriage of the daughter of the informant was solemnized with co-accused Akash Mali and the allegation against the petitioners and co-accused persons is that they murdered her on account of non-fulfillment of demand of a motorcycle in dowry.



4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The petitioners are parents in-laws and the brother-in-law of the deceased, respectively. There is no specific allegation either of assault or demand of any dowry against the petitioners. The deceased was deaf and dumb but she was kept in her matrimonial home with all dignity and honour and three children have been born out of this wedlock and prior to the occurrence, there was no allegation of demand of motorcycle. The learned counsel further submits that after eight years of marriage, the allegation of demanding a motorcycle is palpably false and concocted. After investigation, police found that it was a case under Sections 108, 85, 3 (5) of BNS. The daughter of the informant committed suicide as she was angry due to her family members not acceding to her demand for allowing her to attend some marriage ceremony in her family. The post mortem report also shows the death occurred due to asphyxia by hanging and no external injury was found on the body of the deceased. The learned counsel further submits that the petitioners are having clean antecedent and are in custody since 13.11.2024. The charge sheet has been submitted.

5. Learned A.P.P. as well as learned counsel for the



informant vehemently oppose the submission made on behalf of the petitioners. The learned counsel for the informant submits that from the rejection order, it appears that the victim lady was assaulted prior to her death.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the non-specific nature of allegation against the petitioners, who are in-laws of the deceased and further considering the absence of any injuries on the deceased and probable cause of death and also considering the period of custody of the petitioners and their clean antecedents as well as submission of charge sheet, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Bhojpur at Ara/concerned court, in connection with Ara (Muffasil) P.S. Case No. 196 of 2024, subject to the condition laid down under Section 480 (3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the below, if



so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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

