

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4626 of 2026

Arising Out of PS. Case No.-346 Year-2025 Thana- KALYANPUR District- East Champaran

1. Dinanath Sah Son of Shiv Sah R/o Village - Samera, P.S. - Kalyanpur, Dist. - East Chamaparan.
2. Pramila Devi Wife of Dinanath Sah R/o Village - Samera, P.S. - Kalyanpur, Dist. - East Chamaparan.
3. Kajal Kumari D/o Guddu Kumar Sah R/o Village - Samera, P.S. - Kalyanpur, Dist. - East Chamaparan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shamir Mehra, Advocate
		Mr. Anil Kumar, Advocate
For the Opposite Party/s :		Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 19-03-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 80, 238, 61(2) and 3(5) of the BNS, 2023.

3. Learned counsel for the petitioners submits that petitioners have antecedent of one case and petitioner nos. 2 and 3 are women and the informant alleges that her daughter was married to Mantosh in the year 2023 and after marriage, the accused persons were demanding a Swift car and on non-fulfillment of the dowry demand, her daughter was tortured and



Mantosh used to burn her with cigarette, it is next alleged that on 13.03.2025, her daughter was killed and on information when she reached the place of occurrence, the accused persons were absconding and her daughter's body was missing.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant being father-in-law, mother-in-law and sister-in-law (*bhabhi*). It is next submitted that the date of occurrence is 13.03.2025 and a complaint case came to be instituted more than five months, thereafter on 28.08.2025 based on which the instant FIR was instituted on 15.09.2025. It is further submitted that allegation of demand of dowry is general and omnibus in nature. It is further submitted that thrust of the allegation of torture is against the husband and as far as petitioners are concerned, the allegation against them are general and omnibus in nature. It is next submitted that though it is alleged that victim was killed and her body was missing, but then the informant along with her family members had participated in the cremation. It is next submitted that death of the victim was a natural death and as such, the death certificate of the deceased (Rita Kumari) was issued by the authorities, as would manifest from Annexure P/4 to the supplementary affidavit. It is also



submitted that even *Shradh* ceremony of the victim was performed as would manifest from the photographs annexed as Annexure P/5 to the supplementary affidavit. It is further submitted that allegations also do not inspire confidence for the reason that complaint case came to be instituted more than five months after the death of the victim. It reiterated and submitted that had it not been a case of natural death, in that event the doctors would not have certified the death based on which death certificate was issued by the Department of Planning and Development, Government of Bihar. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the anticipatory bail application of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each 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 Kalyanpur P.S. Case No. 346 of 2025 subject to



the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite giving assurance to this Court are not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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