

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7661 of 2026

Arising Out of PS. Case No.-759 Year-2024 Thana- SITAMARHI District- Sitamarhi

Alok Kumar Son of Prabhash Singh R/o Village - Lohia Nagar, Mela Road,
P.S. - Sitamarhi, Dist. - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
	:	Mr. Kumar Rajdeep, Advocate
For the State	:	Mr. Lalan Kumar, APP
For the informant	:	Mr. Rohit Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 01-04-2026 Heard Mr. N.K. Agrawal, learned Senior Counsel for

the petitioner and Mr. Rohit Ranjan, learned counsel for the

informant beside learned APP representing the informant.

2. The petitioner is apprehending his arrest in
connection with Sitamarhi P.S. Case No. 759 of 2024 registered
for the offence punishable under Sections 80(2) and 3(5) of the
B.N.S., lodged on 07.11.2024 by the informant Atul Kumar.

3. As per the prosecution story, the informant alleged
that his sister was married with the petitioner in the year 2015
but was always tortured for dowry. The allegation is that ten
days prior to her death, she was assaulted by her in-laws. The
informant reached there and settled the dispute. The petitioner
was also informed who is serving in the Indian Army and he
wanted that his children be taken to the house of the informant.



4. On 05.11.2024, he had a conversation with the sister and she wanted to come and witness the Chhath Pooja but when he reached the in-laws house on the next morning, found the room of his sister locked and the phone switched off. Sensing something has happened, as he tried to break the lock, the in-laws resorted to assault. Later, in the presence of Police, the lock of his sister's room was broken and found the sister dead with injuries on her body. This led to the F.I.R..

5. Learned Senior Counsel for the petitioner submits that a perusal of the F.I.R. would show that he was serving with the Indian Army at the relevant time and as such, cannot have any role in the matter. Further, as per the F.I.R. he also requested the informant to take them to his house but in between, the unfortunate incident took place.

6. The informant is appearing and he has pointed out that when the informant reached the place, the room was locked and they were not ready to give any information whatsoever. Further, only with the help of Police, when the lock was broken that the alleged killing came to the light. He has further taken this Court to paragraph no.101 of the case diary to show process already stands issued against the petitioner by a competent court. The submission is that though in service, it was on his



insistence that the deceased was subjected to torture by the in-laws.

7. Learned counsel for the informant has further taken this Court to an order of Hon'ble Apex Court in the case of Lal Muni Devi vs. State of Bihar and Ors. (Cr. Appeal No. 1626 of 2026) wherein the Hon'ble Supreme Court while setting aside the bail granted to the husband by the Patna High Court observed that the Dowry deaths are profound disgrace and a major social evil representing a severe violation of human rights and dignity.

8. Paragraph no.15 of the order in Lal Muni Devi (supra) read as follows:

“15. Dowry deaths are indeed a profound disgrace and a major social evil representing a severe violation of human rights and dignity. Despite the legal prohibitions, this practice continues to result in the unnatural deaths of thousands of women often through murder or driven to suicide because of greed driven demands for money or valuable from the groom's family. Dowry deaths are a severe blot on society.”



9. He concludes by submitting that the petitioner's husband has played an important role leading to the unfortunate death of the lady.

10. Considering the aforesaid submissions of the parties, the allegation that has come against the petitioner as also the order of Hon'ble Apex Court in the case of Lal Muni Devi (supra), this Court is not inclined to extend him the privilege of anticipatory bail.

11. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

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