

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11724 of 2026

Arising Out of PS. Case No.-714 Year-2025 Thana- DIGHA District- Patna

1. Ganesh Ray, S/o Rajendra @ Raj Narayan Ray @ Rajnandan Ray R/o Village - Nakta Diyara, P.S - Digha, District - Patna
2. Dinesh Ray, S/o Rajendra @ Raj Narayan Ray @ Rajnandan Ray R/o Village - Nakta Diyara, P.S - Digha, District - Patna
3. Dharamveer Yadav @ Dhanveer Ray, S/o Rajendra @ Raj Narayan Ray @ Rajnandan Ray R/o Village - Nakta Diyara, P.S - Digha, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prabhat Kumar Singh, Advocate Ms. Priya, Advocate
For the Opposite Party/s	:	Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 25-02-2026 At the outset, learned counsel for the petitioner no.3, namely, Dharamveer Yadav @ Dhanveer Ray submits that during the pendency of the application, the petitioner no.3 has been apprehended by the police and as such, the present application against the petitioner no.3 has become infructuous.

2. In view of the submission made by the learned counsel for the petitioner no.3, the application stands dismissed as withdrawn as having become infructuous.

3. Now the present application only survives for petitioner no.1, namely, Ganesh Ray and petitioner no.2, namely, Dinesh Ray.



4. Heard learned counsel for the petitioner nos.1 and 2 and learned A.P.P. for the State.

5. Petitioner nos.1 and 2, namely, Ganesh Ray and Dinesh Ray respectively apprehend their arrest in connection with Digha P.S. Case No.714 of 2025 registered for the offences under Sections 103, 238, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

6. As per the prosecution case, the allegations against the petitioners are that they have been demanding Rs.5,00,000/- and a motorcycle as dowry and due to non-fulfillment of the same, they have tortured the daughter of the informant. It is further alleged that the named accused persons, including the petitioners, with common intention had strangled the daughter of the informant to death for non-fulfillment of dowry and even burnt her dead body.

7. Learned counsel for the petitioners submits that this is one of those peculiar cases where the entire immediate family members of the deceased, i.e., the husband, father-in-law and mother-in-law have not been made parties, rather, the petitioners, being the cousin brothers-in-law have been made parties who have been separate in mess for the last 20 years. It has further been submitted that the occurrence is of 07.09.2025,



however, the FIR was registered after a delay of eight days on 15.09.2025 in a very pre-planned manner, as the petitioners have a long-standing dispute with the in-laws of the deceased. It has next been submitted that in fact it is the husband of the deceased and his parents who were instrumental in getting this forged and fabricated FIR lodged against these petitioners based on a concocted story of demand of dowry. It has lastly been submitted that the petitioners carry clean antecedents.

8. Learned APP for the State has opposed the prayer for anticipatory bail.

9. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner nos.1 and 2, namely, Ganesh Ray and Dinesh Ray respectively be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Digha P.S. Case No.714 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S.



as well as subject to the following conditions:-

- (i) One of the bailors of the petitioners shall be their close relative.
- (ii) The petitioners shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two 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.
- (iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

10. Accordingly, the prayer for anticipatory bail is allowed.

11. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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