

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16346 of 2026

Arising Out of PS. Case No.-22 Year-2025 Thana- SAMHO District- Begusarai

1. Bindeshwari Bind Son Of Late Jadu Bind Resident Of Village - Jagan Saidpur, Police Station - Shamho In The District Of Begusarai.
2. Kalawati Devi Wife Of Bindeshwari Bind Resident Of Village - Jagan Saidpur, Police Station - Shamho In The District Of Begusarai.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-05-2026 1. Heard the learned Advocate for the petitioners and the learned APP for the State.

2. The petitioners seek bail in a case registered for the offences under Sections 80(2), 238 and 3(5) of the B.N.S.

3. The learned counsel for the petitioners has submitted that petitioners are persons with clean antecedent and are in custody since 13.01.2026 and the informant alleges that his daughter was married to Mahesh and out of the wedlock, a child was born who presently is 15 months old. Further, the accused persons after marriage started demanding a motorcycle and on account of non-fulfilment of the demand, the victim was tortured. It is next alleged that on 02.07.2025, he came to know



that his daughter died, accordingly, he came back from Punjab on 03.07.2025 and reached the place of occurrence, but no one was present and the dead body was missing, thus alleges that the victim was killed and the dead body was disposed off.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case being father in -law and mother in-law of the deceased. It is further submitted that from perusal of the allegations as alleged in the FIR, it would manifest that informant was in Punjab when the occurrence is alleged to have taken place, but then he discloses that he came to know about the death of his daughter but does not disclose who informed him. It is further submitted that it was Mahesh who had informed the informant that victim is missing based on which he came from Punjab. It is further submitted that as far as allegation of demand of dowry and torture is alleged, the same is general and omnibus in nature. It is also submitted that informant is not an eye witness to the occurrence and the entire allegation hinges around suspicion. It is further submitted that a dispute had arisen in between the victim and Mahesh on the issue that victim wanted to live separately from the petitioners but Mahesh was not agreeing but then it is submitted that petitioners left the house and started



residing separately. It is also submitted that whether the victim died or is missing is also an aspect of trial as during the course of investigation, the dead body of the victim was not recovered. It is also submitted that victim may out of anger left the house. It is also submitted that husband of the deceased is in custody.

5. The learned A.P.P. opposes the regular bail application and submits that whether the victim died or is missing no doubt is an aspect of trial, but then the occurrence took place within seven years of marriage as such presumption in law is against the husband and his family members, but then fairly submits that informant is not an eye witness to the occurrence.

6. After hearing the learned counsel for the parties, the Court is not inclined to release the petitioners on bail.

7. The prayer of the petitioners for regular bail stands rejected.

8. However, petitioners would be at liberty to renew their prayer for bail after framing of charge.

9. At this stage, the learned counsel appearing on behalf of the petitioners submits that petitioner no.1 is suffering from disease relating to kidney, if what has been submitted by the learned counsel appearing on behalf of the petitioners is true



in that event, the District Magistrate, Begulsarai, the Superintendent of Police, Begusarai and the Superintendent of Jail shall ensure that medical facility is provided to the petitioner no.1.

10. Let a copy of this order be sent to the learned Principal District Judge, the District Magistrate, Begulsarai, the Superintendent of Police, Begusarai and the Superintendent of Jail, Begusarai for their perusal and needful.

(Satyavrat Verma, J)

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