

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17415 of 2026

Arising Out of PS. Case No.-496 Year-2025 Thana- KESARIA District- East Champaran

1. Malti Devi W/o Vishwanath Patel @ Vishwanath Ray Resident of village- Dhekaha, ward no. 2, P.S.- Kesariya, Distt. - East Champaran
2. Seema Devi W/o Pramod Patel Resident of village- Dhekaha, ward no. 2, P.S.- Kesariya, Distt. - East Champaran
3. Pramod Patel S/o Vishwanath Patel Resident of village- Dhekaha, ward no. 2, P.S.- Kesariya, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 17493 of 2026

Arising Out of PS. Case No.-496 Year-2025 Thana- KESARIA District- East Champaran

Vishwanath Prasad @ Vishwanath Patel S/o Late Jiut Prasad Resident of village - Dhekaha, ward no. 2, P.S.- Kesariya, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 17415 of 2026)

For the Petitioner/s : Mr.Abhishek Kumar
Mr.Harsha Shashwat
For the Opposite Party/s : Mr.Chandra Bhushan Prasad, Ld. App
Mr.Abhishek Ranjan

(In CRIMINAL MISCELLANEOUS No. 17493 of 2026)

For the Petitioner/s : Mr.Abhishek Kumar
Mr.Harsha Shashwat
For the Opposite Party/s : Mr.Ram Bilash Roy Raman
Mr.Abhishek Ranjan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 11-05-2026

CRIMINAL MISCELLANEOUS No.17415 of 2026

1. Heard learned counsel for the petitioners, learned
APP for the State and the learned counsel appearing on behalf of



the informant.

2. The S.H.O. and the Investigating Officer of the case in compliance of the order dated 27.04.2026 are present in the Court.

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

4. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner nos. 1 and 2 are women and the informant alleges that her daughter was married in the Year 2020 and after marriage, accused persons were demanding Bullet motorcycle and a gold chain and on account of non-fulfilment of the demand, the victim was tortured. Further, Dharmendra was in an illicit relationship with his bhabhi (Seema). Further, Seema gave an iron rod to Dharmendra and asked him to kill the victim, so that they can lead a peaceful life. Further, on 01.11.2025, the named accused persons got a call made from Seema at 1:30 PM, who disclosed that since demands were not fulfilled, hence victim would be killed, thus informant reached the place of occurrence by 3:30 PM and saw the dead body of his daughter lying.



5. The learned counsel on behalf of the petitioners submits that petitioners have been falsely implicated in the instant case being mother-in-law, married sister-in-law and elder brother-in-law of the deceased. It is next submitted that marriage in between Dharmendra and deceased was a love marriage which was being objected by the parents of the victim. It is further submitted that from perusal of the allegations as alleged in the FIR, it would manifest that marriage of Dharmendra with the victim took place in the year 2020 and the instant FIR came to be instituted in the year 2025, but then in these five years, no case ever came to be instituted either by the informant or the victim alleging demand of dowry and torture. It is further submitted that it does not appear probable that Seema would have called the informant informing him that since demand has not been met, hence victim would be killed and thereafter when informant reached the place of occurrence, he saw dead body of his daughter lying. It is also submitted that had the petitioners been involved in the occurrence of killing the victim, in that event, efforts would have been made to dispose of the dead body with a view to conceal evidence but then the dead body was in the house and the same was sent for post mortem. It is next submitted that from perusal of the post-mortem report, it



would manifest that the same does not record the cause of death rather viscera was preserved. The viscera report has come and from perusal of the same, it would manifest that the same records that no poison was found. It is next submitted that viscera was sent to FSL only for the reason, since the doctors did not find the cause of death either by strangulation, hanging or assault, hence the viscera was preserved in view of the allegations alleged in the FIR that the victim may be poisoned to death, but the viscera report also records that no poison was found. It is further submitted that death was normal but then since the same took place within the 07 years of marriage, hence allegation of dowry death is alleged. It is further submitted that if privilege of anticipatory bail is granted, the petitioners will not abscond rather will cooperate in the investigation to prove their innocence. It is also submitted that husband is in custody.

6. Learned A.P.P. as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioners that the viscera report records that no poison was found and the post-mortem report also does not record any injury except for an abrasion on the nose.



7. After hearing the learned counsel for the parties, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum 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 Kesariya P. S. Case No.496 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

8. The application stands allowed.

CRIMINAL MISCELLANEOUS No. 17493 of 2026

1. Heard learned counsel for the petitioner, learned APP for the State and the learned counsel appearing on behalf of the informant.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 80(2) and 3(5) of the B.N.S.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that Malti Devi along with two other had



approached this court seeking anticipatory bail by filling Cr. Misc. No.17415 of 2026 and the same came to be allowed by an order dated 11.05.2026 after considering the case in detail and on merits. It is further submitted that petitioner is the father-in-law and the case of the petitioner is similar to the case of Malti Devi and others.

4. Learned A.P.P. as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application but then are not in a position to rebut the submission of the learned council of the petitioner that the case of the instant petitioner is similar to the case of Malti Devi and others.

5. After hearing the learned counsel for the parties and taking into consideration the order dated 11.05.2026 in Cr. Misc. No.17415 of 2026, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) 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 Kesariya P. S. Case No.496 of 2025, subject to the conditions laid down under



Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. The personal appearance of the S.H.O. and the Investigating Officer of the case is dispensed with.

8. The F.S.L. Report which was opened in the Court is being returned to the Investigating Officer of the case in presence of the S.H.O.

(Satyavrat Verma, J)

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