

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29439 of 2026

Arising Out of PS. Case No.-41 Year-2026 Thana- WARISNAGAR District- Samastipur

1. Om Prakash Jha @ Ramu Son of Late Ram Kumar Jha Resident of Village- Lakhanpatti Ward No. 09, P.S.- Warisnagar, District- Samastipur
2. Meena Devi Wife of Om Prakash Jha @ Ramu Resident of Village- Lakhanpatti Ward No. 09, P.S.- Warisnagar, District- Samastipur
3. Manish Kumar Jha Son of Om Prakash Jha @ Ramu Resident of Village- Lakhanpatti Ward No. 09, P.S.- Warisnagar, District- Samastipur
4. Komal Kumari Wife of Manish Kumar Jha Resident of Village- Lakhanpatti Ward No. 09, P.S.- Warisnagar, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Phul Kumar Jha Son of Resident Of Village- Mahisi, Ward No. 7, Ps- Bibhutipur, Dist- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar Thakur, Adv.
For the Opposite Party/s	:	Mr. Arun Kumar Pandey, APP
For the Informant	:	Mr. Raj Ram Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 20-07-2026 Heard the learned Advocate for the petitioners, learned Advocate for the informant and the learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Warisnagar P.S. Case No. 41 of 2026, registered for the offences punishable under Sections 80, 103(1) and 3(5) of the B.N.S.

3. The marriage of the informant's daughter was solemnized with the son of the petitioner nos. 1 and 2 in the year



2024. By filing the written report, the informant alleges that for the last one year, the accused persons, including the petitioners, were indulged in demand of dowry, and on account of non-fulfillment of the same, she was tortured in various ways. On 19.02.2026, it has been informed that the deceased died on account of heart failure. However, she was not facing any illness, and thus it is asserted that it is the accused persons, who have killed the deceased on account of non-fulfillment of the dowry.

4. Learned Advocate for the petitioners submitted that the petitioners are none else but the parents-in-law, as well as brother and sister-in-law of the deceased, and there is no specific accusation against the petitioners. Moreover, the deceased was happily living in the matrimonial family, and the couple also blessed with a male child, and subsequently, when the male child suffered from some illness, the petitioner has spent lakhs of rupees in his treatment, and thus it clearly suggests that the relationship was not only cordial, but there was no demand of any dowry. The deceased died in her natural course, which fact also corroborated by the post-mortem report, which suggests no mark of any external injuries over the body of the deceased. Moreover, the FSL report also does not suggest



any foul play, except it is informed that it was a case of suspected death. It is lastly contended that, be that as it may, now the husband has been incarcerated in the custody, and the petitioners are ready to cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State and the informant opposed the pre-arrest bail application and submits that the complicity of the petitioners cannot be ruled out, once the deceased died in the matrimonial home, and the post-mortem report clearly suggests that there was a slight ligature mark over her neck, and preceding to her unnatural death, there was a demand of dowry, and as such, the presumption of dowry death is writ large.

6. Having considered the submissions advanced on behalf of the learned Advocate for the respective parties and taking note of the fact that the husband of the deceased is behind the bar, besides the fact that the post-mortem report suggests no external marks of injuries over the body of the deceased, as also the prescriptions which have been brought on record that the male child of the couple was getting treatment from the petitioners, which *prima facie* suggests a cordial relationship between the parties, as also the fact that the petitioners before this Court are none else but the in-laws persons and they are ready to co-operate



in the proceeding of the Court, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) **each** with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Samastipur in connection with Warisnagar P.S. Case No. 41 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further conditions that:-

- (I) One of the bailors shall be the own/close family members of the petitioners.
- (II) The petitioners shall ensure their appearance in the proceeding/trial of the Court.

(Harish Kumar, J)

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