

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28919 of 2026

Arising Out of PS. Case No.-428 Year-2025 Thana- GRIYAK District- Nalanda

1. Chandan Kumar S/O Nandu Prasad R/O Village - Bishunpur, P.S-Giriyak (Pawapuri), District- Nalanda (Bihar).
2. Sunil Kumar Son of Nandu Prasad R/O Village - Bishunpur, P.S-Giriyak (Pawapuri), District- Nalanda (Bihar).
3. Suraj Kumar Son of Nandu Prasad R/O Village - Bishunpur, P.S-Giriyak (Pawapuri), District- Nalanda (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Advocate
For the Opposite Party/s	:	Mr. Uday Chand Prasad, APP
For the Informant	:	Mr. Kundan Kumar, Advocate
		Mr. Diwakar Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-05-2026 Heard learned counsel for the petitioners and learned
APP for the State as well as learned counsel for the informant.

02. In the present case, the petitioners are apprehending their arrest in connection with Giriyak P.S. Case No. 428 of 2025 registered for the alleged offence under Sections 80(2) r/w 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the sister of the informant was married with co-accused Deepak Kumar on 11.05.2025. The allegation is that the husband of the sister of the informant and her in-laws had been demanded Rs. 5 lakh in dowry and when the demand was not met, she was tortured. Subsequently,



the informant was informed by the husband of his sister about illness of his sister and when the informant reached the hospital, he found his sister dead.

04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. No occurrence in the manner as alleged has ever taken place. The petitioners are the brothers of the husband of the deceased and they never demanded any dowry and never tortured the sister of the informant and have no role in her death. In fact, the allegation of demand of dowry and due to its non-fulfillment, consequent torture is completely false and concocted. Learned counsel further submits that the deceased had been suffering from some serious mental ailment prior to her marriage and she was under treatment of the doctor and was on medicines. Unfortunately, she fell down and fainted and thereafter, she was taken by her husband to hospital. However, she died and was declared dead at the hospital where she had been admitted for the last time. Learned counsel further submits that the husband of the deceased himself gave this information to the informant about his sister being ill and being taken to hospital. The husband of the deceased is in custody and the petitioners were living separately have also been made



accused in this case. The petitioners are having clean antecedent.

05. Learned APP for the State as well as learned counsel for the informant vehemently oppose the submission made on behalf of the petitioners. Learned counsel for the informant submits that the injury was observed on the forehead and hands of the deceased and the deceased was found pregnant with eight weeks of pregnancy.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that petitioners are in-laws and husband of the deceased is already in custody and further considering the vague nature of allegation and possibility of false accusation, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif/court concerned in connection with Giriyak P.S. Case No. 428 of 2025, subject to the condition laid down under Section 482(2) of BNSS and other following conditions:



- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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