

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29016 of 2026

Arising Out of PS. Case No.-228 Year-2025 Thana- FORBESGANJ District- Araria

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1. Arjun Rishidev Son of Shaini Rishidev R/o Village-Rangdaha, Ward No 02, P.S-Forbesganj, Dist-Araria
 2. Shaini Rishidev Son of Late Punji Rishidev R/o Village-Rangdaha, Ward No 02, P.S-Forbesganj, Dist-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha, Adv.
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 17-07-2026 Heard learned Advocate for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Forbesganj P.S. Case No. 228 of 2025, registered for the offences punishable under Sections 80 & 3(5) of the BNS.

3. Based upon the written report, the prosecution alleges that the marriage of the daughter of the informant was solemnized with the petitioner no. 1 five years ago. The couple also blessed with two children. On 29.04.2025, the brother-in-law of the deceased informed the informant that her daughter is critically ill and admitted to private hospital at Araria. On such



information the informant and other family members rushed to the hospital, noticing them the accused person fled away from the hospital. Later on during treatment, the informant's daughter died on 07.02.2025. There is further allegation that the petitioner no. 1 had illicit relationship with her *bhabhi* and on the instigation made by her, all the family members used to assault the deceased.

4.Learned Advocate for the petitioners submitted that from perusal of the FIR, it is evident that, it is the family members of the petitioner's side, who had informed regarding ill health of the deceased due to which she was taken to private hospital, where her treatment was going on. Upon such information, the informant and other visited the hospital on 29.04.2025 and the treatment continued till 07.05.2025. However, in between the period of 29.04.2025 till 07.02.2025, no complaint or any FIR has been instituted, but after death of the deceased, the present FIR came to be instituted on 10.05.2025. Moreover, preceding the death of the deceased, there was no demand of any dowry, and as such, the relevant material for constituting the offence of dowry death is not present in the case. The FIR also discloses that the husband of the petitioner had been working outside the State as a labour and



he had also rushed to the house just a day before the occurrence. The postmortem report further falsify the prosecution case, as no external injuries have been found over the body of the deceased. The petitioner no. 1 happens to be husband whereas petitioner no. 2 is father-in-law and they have not been played any role in causing the death of the deceased, besides their fair antecedent.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that the deceased died in the house of the petitioners within seven years of marriage and before her death, she was subjected to torture and assault, and as such, their complicity in the crime cannot be denied.

6. Regard being had to the submissions made on behalf of the parties and considering the factum of treatment of the deceased at the behest of the petitioners for a substantive period, besides no external injuries reported in the postmortem report as well as the fact that husband was residing outside the house admitted by the informant, and the marriage was solemnized five years ago; there is no allegation of demand of dowry and the delay in lodging the FIR, let the petitioners abovenamed 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 Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 228 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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