

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32655 of 2026

Arising Out of PS. Case No.-40 Year-2026 Thana- PHULWARIYA District- Gopalganj

1. Ranju Devi W/o Dhananjay Sah R/o Village - Selar Khurd, P.S.- Phulwariya, District - Gopalganj.
2. Dhananjay Sah @ Dhananjai Sah @ Dhananjay Gupta S/o Late Kailash Sah R/o Village - Selar Khurd, P.S.- Phulwariya, District - Gopalganj.
3. Sachin Kumar Gupta S/o Dhananjay Sah R/o Village - Selar Khurd, P.S.- Phulwariya, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.V. Giri, Senior Advocate Mr. Devashish Giri, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar Singh, APP
For the Informant	:	Mr. Ashish Kumar Jha, Advocate Mr. Deepankar Raj, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 23-07-2026 Heard learned Senior Counsel for the petitioners,
learned Counsel for the Informant and learned APP for the State.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioner who is in custody in connection with Phulwariya P.S. Case No. 40 of 2026, lodged on 16/02/2026, under Section 80 (2)/3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against



seven named accused persons including the present petitioners with allegation made by the informant that marriage of the daughter of the informant was solemnized with one Amit Sah (accused No.1), who is not petitioner, and for the demand of Brezza Car as dowry, torture was made to the informant's daughter. It has also been alleged that due to the said torture, panchayati took place. Thereafter, the son-in-law of the informant went foreign and other persons started assaulting upon the informant. On intervention from the Mukhiya and other relatives, panchayati took place but subsequently on 16/02/2026, in the morning, informant received information that his daughter was killed by hanging due to dowry demand.

4. Learned Senior Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that petitioner No.1 is the mother-in-law, petitioner No.2 is the father-in-law and petitioner No.3 is the brother-in-law (devar). Counsel submits that on the previous occasion case diary was called for. Counsel submits that the inquest report, the suicidal note and the post mortem report are the defence. Counsel submits that the allegation is of demand of Brezza car, but in the suicidal note there is no such allegation. Counsel submits that in the post mortem report, there is no



specific opinion has been assigned by the Doctor and it was reserved till report comes from the Forensic Lab. Counsel further submits that the husband was out of country and question of dowry has not come anywhere, particularly from the suicidal note which has been provided by the father of the deceased (informant) to the police, which is part of the investigation. Counsel submits that they are in custody since 17/02/2026 and charge-sheet has already been filed in this case. Counsel submits that the criminal antecedent of the petitioners are clean. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned Counsel for the informant vehemently opposes the prayer for bail and submits that it is a clear cut case of murder due to demand of dowry. He submits that from the suicidal note, it transpires that the deceased was subjected to torture and she has written this letter in the extreme state of mental sorrow/depression. Counsel further submits that husband was not in India and it is the family member who was residing with the deceased is responsible for murder.

6. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that the post mortem



report and the suicidal note is the most important matter in this case by virtue of which the inference has to be drawn. Counsel submits that it is true that the deceased was in acute mental state and was full of sorrow, but post mortem report has not given the conclusive proof of cause of death.

7. After perusal of the post mortem report, it transpires to this Court that injury detail on the neck was shown as ligature mark placed transversely brown black. It means that this mark was not in oval/O shape/circular shape, meaning thereby the death was caused by hanging. There was no anti mortem injury found on the body, means the death was caused by hanging. The suicidal note indicates that the deceased has requested to his mother-in-law to marry of his son with one Priyanka. Priyanka is none-else the maternal sister-in-law/*mameri nanad*.

8. It transpires to this Court that under the confusion that the intimate relation of her husband with *mameri* sister is the cause of death and this is the reason due to which she was full of sorrow and not of dowry, prima facie appears to this Court.

9. In the present facts and circumstances of this case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as



mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Phulwariya P.S. Case No. 40 of 2026 subject to the conditions as laid down U/s 480(3) of the BNSS, 2023.

(Dr. Anshuman, J)

Mkr./Anshuman/

U		T	
---	--	---	--

