

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 35624 of 2026

Arising Out of PS. Case No.-709 Year-2025 Thana- BASANTPUR District- Siwan

1. Prama Mahto @ Pravin Mahto S/O Late Imrit Mahto R/O Vill.- Sirisiya, P.S.- Jamo Bazar, District- Siwan
2. Gyatri Devi @ Gita Devi wife of Pravin Mahto @ Prama Mahto. R/O Vill.- Sirisiya, P.S.- Jamo Bazar, District- Siwan
3. Kamlawati Devi wife of Late Ramasan Mahto. R/O Vill.- Sirisiya, P.S.- Jamo Bazar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv.
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-06-2026 Heard Mr. Raghav Prasad, learned Advocate for the petitioners and Mr. Anil Prasad Singh, learned Additional Public Prosecution for the State through virtual mode.

2. The petitioners apprehend their arrest in connection with Basantpur P.S. Case No. 709 of 2025, registered for the offences punishable under Sections 80(2), 3(5) of the B.N.S.

3. Based upon the written report, the prosecution alleges that the marriage of the daughter of the informant was solemnized with the son of the petitioner no. 1 and 2 three years ago. The couple also blessed with a female child, however, despite the aforesaid facts, she was subjected to torture and a



year ago, the husband of the victim brought her to her *Maika* and left there. On 19.12.2025, the victim had conversation with her husband on the mobile and later on, she committed suicide. It is further alleged that the victim's husband had some illicit relationship with maternal-aunt and due to which, the victim was subjected to torture.

4. Learned Advocate for the petitioners taking this Court through the F.I.R. contended that admittedly, the victim has been residing in her *Maika* for the last one year, because of some dispute between husband and wife, there is no specific allegation against the petitioners, who are non else but father-in-law, mother-in-law and aunt-in-law of the deceased regarding any torture and demand of dowry. The alleged occurrence took place on 19.12.2025 but surprisingly, the present F.I.R. came to be instituted on 26.12.2025, moreover, it is the admitted position that the deceased has committed suicide in her *Maika* and on the fateful day, she had a conversation with her husband and as such, if there was any abatement or incitement that was caused by her husband and for which the family members like the petitioners cannot be held responsible. There is no ingredient which constitutes Section 80(2) of B.N.S. Even if for the sake of argument, it is a case of suicide, there is no abatement or



incitement on the part of the petitioners that it left the victim with no other choice but to commit suicide. The petitioners are persons of fair antecedents and they have no concern with the affair of the husband and wife.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that the deceased died in an unnatural circumstances within seven years of marriage and prior to that, there was allegation of torture at the hands of the petitioners and as such, dowry death cannot be ruled out.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the fact that the deceased has committed suicide in her *Maika* where she had been living for the last one year and there is no specific accusation against the petitioners of either torture and demand of dowry or abatement or incitement to commit suicide; besides, the petitioners have no concern with the affairs of the husband and wife, 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/- (Rupees Ten Thousand) each with two



sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Siwan in connection with Basantpur P.S. Case No. 709 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)

sadique/-

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

