

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35983 of 2026

Arising Out of PS. Case No.-172 Year-2023 Thana- BIKRAM District- Patna

1. Manish Kumar S/O Parshuram Paswan R/O Village- Mahmadpur, P.S.- Bikram, Distt.- Patna.
2. Parshuram Paswan S/O Krishna Paswan R/O Village- Mahmadpur, P.S.- Bikram, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh, Adv.

For the Opposite Party/s : Mr. M.K. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 23-07-2026 Heard learned Advocate for the petitioners and
learned Advocate for the State.

2. The petitioners apprehend their arrest in connection with Bikram P.S. Case No.172 of 2023 registered for the offences punishable under Sections 304B/34 of the Indian Penal Code.

3. The marriage of the informant's daughter was solemnized with one Rahis Paswan. It is alleged that after the marriage, the accused persons, including the petitioners, persistently demanded dowry and, on account of non-fulfilment of the same, the deceased was subjected to cruelty and ultimately strangled to death.

4. Learned Advocate for the petitioners submitted that



petitioner no. 1 is the brother-in-law and petitioner no. 2 is the father-in-law of the deceased. It is contended that they were residing separately from the deceased and her husband. It is further submitted that a plain reading of the F.I.R. would reveal that the principal allegations of demand of dowry and cruelty are primarily directed against the husband of the deceased, who was taken into custody immediately after the occurrence and has subsequently been enlarged on regular bail. So far as the present petitioners are concerned, they have been implicated merely on account of their relationship with the husband of the deceased, without any specific overt act being attributed to them. Learned counsel also pointed out that the other co-accused, who are close family members, have already been extended the privilege of anticipatory bail by a learned Co-ordinate Bench of this Court in Criminal Miscellaneous No. 54316 of 2023, vide order dated 07.03.2024. The petitioners bear fair antecedent.

5. Learned Advocate for the State vehemently opposed the prayer for anticipatory bail and submitted that the deceased died in her matrimonial home within three years of her marriage and there were consistent demands for dowry immediately preceding her death. It is, therefore, contended that the offence of dowry death is *prima facie* made out against the accused persons.



6. Having considered the rival submissions and taking note of the fact that the petitioners are the brother-in-law and father-in-law of the deceased, the principal allegations in the F.I.R. are primarily directed against the husband, who has already been taken into custody and subsequently released on regular bail, besides the other similarly situated co-accused have already been granted the privilege of anticipatory bail by a learned Co-ordinate Bench of this Court and the fair antecedent of the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VI, Danapur in connection with Bikram P.S. Case No.172 of 2023, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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