

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40080 of 2026

Arising Out of PS. Case No.-265 Year-2022 Thana- VIJAYEPUR District- Gopalganj

Dhaneshwar Kumar Pandey Son of Chandrama Pandey Resident of Village-
Singhpur, P.S.- Vijaypur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Vijaypur P.S. Case No.265 of 2022 registered under Section 304(B) of the Indian Penal Code.

3. As per FIR, the daughter of the informant died before reaching Dewariya hospital for better treatment. The informant suspected that she was killed by her husband during course of his treatment.

4. It is submitted by learned counsel appearing for the petitioner that the present case is blatant misuse of law related with dowry death. It is submitted that in the FIR, no allegation for any demand of dowry was raised and on the basis of



suspicion, as the daughter of informant died before reaching the Dewariya Hospital, the present FIR was lodged. It is submitted that after death of the daughter of the informant, post-mortem was conducted upon her, where the cause of death could not ascertained. It is submitted that even FSL report negates the death of daughter of the informant due to any poisonous substance.

5. Arguing further, it is submitted that during post-mortem, no external injuries/mark of violation was noticed upon the dead body of the daughter of the informant, suggesting that she was not assaulted physically soon before the occurrence. It is submitted in view of aforesaid, it cannot be said that the death of daughter of the informant was unnatural.

6. While explaining criminal antecedent, it is submitted that petitioner found involved in one more criminal case of petty nature, in which he is on bail.

7. Learned APP opposes the prayer of anticipatory bail to the petitioner.

8. In view of aforesaid factual submissions and by taking of note of fact as *prima facie* the post-mortem report failed to suggest the death of the daughter of the informant as unnatural coupled with the fact that FIR nowhere disclosed that



there was any demand of dowry on the part of petitioner, where implication *prima facie* appears on the basis of suspicion due to death of daughter of the informant before reaching higher centre of treatment, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate - 1st Class, Gopalganj, in connection with Vijaypur P.S. Case No. 265 of 2022, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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