

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68130 of 2025

Arising Out of PS. Case No.-229 Year-2025 Thana- Marnga District- Purnia

1. Mukesh Kumar@ Mukesh Kumar Yadav @ Mantu Yadav @ Mukesh Yadav S/O Late Rajendra Prasad Yadav R/O Marnga Pashchim, P.O and P.S- Maranga, Distt.- Purnea.
2. Sandhya Devi W/O Mukesh Kumar @ Mantu Yadav @ Mukesh Yadav R/O Marnga Pashchim, P.O and P.S- Maranga, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anurag Saurav
For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 06-04-2026 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 85, 80 and 3(5) of B.N.S., 2023.

3. Learned counsel for the petitioners submits that the petitioners are a person with clean antecedent and petitioner No.2 is a women and the informant alleges that her daughter was married to Suraj on 07.05.2021, after marriage she lived peacefully for an year, thereafter, the accused persons including the petitioner started torturing her for dowry in form of cash, his



daughter used to inform him about the torture being meted out to her, but accused persons used to apologize, on 01.07.2025, Suraj called and informed that his daughter has hanged herself, accordingly he came to the P.O. and saw the dead body of his daughter lying and it appeared that she was strangled to death, further the deceased had a child out of the wedlock, aged about 3 years.

4. The learned counsel appearing on behalf of the petitioners submits that petitioners have been falsely implicated in the instant case being father-in-law and mother-in-law of the deceased. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant is not an eye witness to the occurrence and the entire allegation hinges about suspicion and it was husband of the deceased, who informed the informant that his daughter has committed suicide, it is also submitted that informant alleges that the victim was tortured for non-fulfillment of dowry demand in form of cash but then the said allegation is very generic in nature, it is next submitted that F.I.R. does not specify that as to what was being demanded by the accused person in form of dowry, it is also submitted that allegation against the petitioner is general and omnibus in nature, it is also submitted that whenever any



dispute arises in between the husband and wife and the occurrence of a nature as alleged takes place, the entire family members are implicated in a mechanical manner with general and omnibus allegation and police also in mechanical manner investigate. It is asserted and submitted that the petitioners are staying separately from their son and a representation to that effect has been given to the Superintendent of Police to investigate the case on the said issue also. It is also submitted that normal conduct of an accused is to conceal evidence but then had the petitioner been involved in the occurrence in that event efforts would have made to dispose of the dead body with a view to conceal evidence but then the dead body was lying in the house where their son and victim were living, it is also submitted that the body was sent to post-mortem wherein it was recorded in the opinion "above-mentioned injuries were ante-mortem and dangerous to life in ordinary course of nature due to pressure and compression of neck by ligature material after suspending the body." And cause of death is recorded as 'Asphyxia and venous congestion due to ante-mortem hanging' and no external injuries were found on the body except ligature mark.

5. Learned counsel for the petitioners next submits



that ante-mortem hanging demonstrates that the victim was not strangled to death rather committed suicide. The learned counsel for the petitioners further submits that no doubt the death of the victim took place within 7 years of marriage but then all death are not dowry death. At times the victims out of anger with their husband commit suicide. It is also submitted that the husband of the petitioner is in custody.

6. The learned counsel for the A.P.P. and learned counsel appearing on behalf of the informant opposes and learned counsel appearing on behalf of the informant submits that if privilege of anticipatory bail is granted, the petitioners may abscond on which the learned counsel appearing on behalf of the petitioners submits that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

7. Considering the aforesaid facts and circumstances of the case and the assurances given by learned counsel for the petitioners that they will co-operate in the investigation and the fact that the petitioners have no criminal antecedent, the Court is inclined to grant privilege of anticipatory bail to the petitioners.

8. Let the petitioners, as named above, in the event of their arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Rupees



Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Principal District and Sessions Judge, Purnea, in connection with Maranga P.S. Case No. 229 of 2025, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

9. It is further made clear that if the investigating officer of the case file an application before learned trial Court bringing to its notice that petitioners, despite giving assurance to this Court, are not cooperating in the investigation, in that event, the learned trial Court shall be at liberty to cancel the bail-bond of the petitioner.

(Satyavrat Verma, J)

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