

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66651 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- SITAMARHI District- Nawada

1. Pyare Prasad S/O Late Prayag Yadav R/O Village- Tekpur, P.S.- Sitamarhi, Dist.- Nawada
2. Tunni Devi W/O Pyare Prasad R/O Village- Tekpur, P.S.- Sitamarhi, Dist.- Nawada
3. Anshu Kumar @ Anju Kumari D/O Pyare Prasad R/O Village- Tekpur, P.S.- Sitamarhi, Dist.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Verma, Adv.
For the Opposite Party/s	:	Mrs. Renu Kumari, Adv.
For the Informant	:	Mr. Birendra Kumar, Adv.
		Ms. Kumud Kishore, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 21-01-2026 Heard learned Advocate appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State as well as learned Advocate for the informant.

2. The petitioners apprehend their arrest in connection with Sitamarhi P.S. Case No. 69 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 80, 351(2) (3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 3/4 of the D.P. Act.

3. The marriage of the daughter of the informant was solemnized with the son of the petitioner nos. 1 and 2 on 18.04.2024. At the time of marriage, rupees twenty five lakhs



were spent, however the accused persons kept on demanding dowry. On their demand, the informant had given Rs. 1,00,000/- to the petitioner no. 1. Later on, the deceased was again subjected to torture and all these incidence have been communicated to the informant and others through the mobile phone. Ten days prior to the occurrence, the deceased disclosed that petitioner no.1 had asked to the other family members as to whether the demand has been fulfilled or not and if the demand has not been fulfilled, let her kill. On 27.05.2025 in the morning one villager has disclosed that the daughter of the informant has been done to death, whereupon they rushed to the place. However, noticing the informant and other family members, the accused persons managed to flee away.

4. Learned Advocate appearing on behalf of the petitioners submitted that so far the petitioner nos. 1 and 2 are concerned, they are parents-in-law, whereas petitioner no. 3 is unmarried daughter-in-law. Save and except the omnibus allegation, there is no specific accusation of any demand of dowry and torture. Moreover, the informant was not the eye witness to the alleged occurrence. The entire case has been instituted on account of the fact that the deceased has died just after one year of the marriage. It is further contended that the



petitioners were living at Kolkata at the time of alleged occurrence and they have nothing to do with the family affairs of the deceased and her husband.

5. On the other hand, learned Advocate for the State and the learned Advocate for the informant vehemently opposed the pre-arrest bail application and submits that the marriage was solemnized on 18.04.2024 and the deceased was done to death on 27.05.2025, just after a year, but much within seven years of marriage and that too the death was unnatural and the post-mortem report suggest it was a case of throttling. Prior to the death of the deceased, there was a demand of dowry and on account of non-fulfillment of the same, she was done to death and, as such, dowry death cannot be ruled out. The petitioner nos. 1 and 2 are parents-in-law and there is a specific accusation against all of them. It is lastly contended that the husband of the petitioner is still fleeing from the course of law.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the specific accusation of demand of dowry and the resultant death due to non-fulfillment of the same and the post-mortem report also suggest that the cause of death is asphyxia due to throttling, this Court is not persuaded to grant anticipatory bail



to petitioner nos. 1 and 2, who are the parents-in-law of the deceased. So far petitioner no. 3 is concerned, considering the fact that she is unmarried sister-in-law of the deceased and there is no specific accusation in the FIR, let the petitioner no. 3 be released on bail, in the event of her 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Nawada in connection with Sitamarhi P.S. Case No. 69 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 petitioner.

(Harish Kumar, J)

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