

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68260 of 2025

Arising Out of PS. Case No.-216 Year-2025 Thana- AKBARPUR District- Nawada

1. Gayatri Devi W/O Shankar Mistri R/O Village- Patrangnala, P.S.- Akbarpur, Dist.- Nawada
2. Shankar Mistri S/O Late Bachu Mistri R/O Village- Patrangnala, P.S.- Akbarpur, Dist.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Anish Chandra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-03-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 103(1), 238, 80(2), 3(5) of the B.N.S., 2023.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that his daughter was married to Chandan in the year 2019 and out of the wedlock, a daughter and a son was born and after the birth of second child, Chandan used to torture and assaulted her and threatened that he will perform his second marriage, further on 27.04.2025 at 12.30 A.M., the accused



persons including the petitioners burnt the victim by sprinkling petrol, it is next alleged that on 28.04.2025 at 10 A.M. Chandan made a video call to the informant and showed and thereafter when informant tried calling him, Chandan did not pick up the phone, accordingly, the informant along with his family members came to the matrimonial house of the victim where Khushi and Puja disclosed that victim was admitted at Pawapuri hospital, accordingly, the informant along with his family members went to the hospital at Pawapuri, from where, the doctors referred the victim to PMCH and the victim during the course of treatment at PMCH died.

4. Learned counsel submits that petitioners have been falsely implicated in the instant case by the informant being mother-in-law and father-in-law of the deceased. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant does not allege that dowry was being demanded and on account of non-fulfillment of the dowry demand, the victim was tortured rather has alleged that after the birth of second child, Chandan started torturing the deceased and used to threaten that he will perform second marriage. It is also submitted that thrust of the allegation is against Chandan and the petitioners came to be implicated with



general and omnibus allegations that they were also involved in the occurrence when informant is not an eyewitness to the occurrence. It is further submitted that informant alleges that Chandan made a video call and showed him and thereafter they came to the place of occurrence when they came to know that the victim was admitted at Pawapuri hospital. It is thus submitted that this amply demonstrates that the victim was taken by the accused persons to the hospital for treatment. It is also submitted that had the petitioners been involved in the occurrence, in that even, efforts would have been made to dispose of the dead body with a view to conceal the evidence but then the victim was taken to hospital for treatment. It is next submitted that whenever any dispute arises in between the husband and the wife and the occurrence of thee nature as takes place, the entire family members are implicated in a mechanical manner with general and omnibus allegation. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Akbarpur P.S. Case No.216/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this court are not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

amit/-

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

