

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78183 of 2025**

Arising Out of PS. Case No.-43 Year-2024 Thana- MAHNAR District- Vaishali

Rakesh Kumar Ray @ Rakesh Son of Ram Pravesh Ray, Resident of Village -Bhauwa, ward no 16, Police Station -Patori, Dist- Samastipur. P/A- Jhausa Road, Sarswati Colony, Thanesar, P.S.- krishna Gate, Dist- Kurukshetra Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Sweety Sinha, Advocate  
For the State : Mr. Upendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

3      26-02-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Mahnar P.S. Case No. 43 of 2024, dated 21.02.2024, registered for the offences punishable under Sections 304(B), 498(A) and 201 of the Indian Penal Code and ¾ of D.P. Act.

3. The F.I.R. has been lodged under Section 156(3) Cr.PC on complaint petition dated 26.07.2023 filed before learned jurisdictional Chief Judicial Magistrate and as per the allegation, the deceased was married with the petitioner on 10.03.2017 as per Hindu Customs and Rites. However, after the marriage, illegal demand of dowry started and on account of



non-fulfillment of the same, the deceased was subjected to torture by the petitioner and his family members. In the course of time, one son and one daughter also born to her. It is also falsely alleged by the petitioner that the deceased-wife was having illicit relationship with her father-in-law and brother-in-law. On 20.07.2023 no contact could be made between the deceased/Nitu Kumari and her family members, they developed suspicion about her not being in this world. Hence, they went to the matrimonial house of the deceased but they could not find the deceased in her house. The petitioner and his all family members were absconding from the house and on inquiry about the deceased, the mother-in-law/Patasia Devi told them that she had left their house after leaving behind the children, but later on he came to know that petitioner and his other family members had killed Nitu Kumari and they made the dead body of the deceased disappeared in the area of Mahnar Police Station so that the father and her family members may be falsely implicated by them and when the informant and his family members started taking the children, they were snatched by the petitioner and his family members and despite written report to the police, they did not lodge the case and hence, criminal complaint was filed on which F.I.R. was lodged under Section



156(3) Cr.PC.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. She further submits that petitioner is husband and his other family members, who are co-accused, have already got anticipatory bail. She further submits that as a matter of fact, the wife of the petitioner has been killed by the family members of her maik and hence, he has already lodged Mahanar P.S. Case No. 215 of 2023 for offence punishable under Sections 302 and 201 read with Section 34 of the Indian Penal Code. She further submits that as per the investigation, charge-sheet has been submitted against co-accused, Soni Devi @ Soniya Devi and the supplementary investigation against the petitioner and other co-accused are still pending.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the fact that there is allegation of



dowry death and one of the co-accused has been already charge-sheeted and investigation is pending against the petitioner and other co-accused, I am not persuaded to enlarge the petitioner on bail.

9. Accordingly, the prayer for bail of the petitioner stands rejected.

**(Jitendra Kumar, J.)**

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