IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80651 of 2026

CNR No. BRHC011177352026

Arising Out of PS. Case No.-381 Year-2026 Thana- DUMRA District- Sitamarhi

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1. Nawal Kishore Rai @ Nawal Kishore Ray, S/O Late Ram Suhag Rai, R/O Village - Patdora, Ward No.- 3, P.S- Bajpatti, Dist.- Sitamarhi
2. Sumitra Devi, w/o Nawal Kishore Rai @ Nawal Kishore Ray, R/O Village - Patdora, Ward No.- 3, P.S- Bajpatti, Dist.- Sitamarhi

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. Petitioners, who are in custody, seek bail in connection with Dumra P.S. Case No. 381 of 2026 registered for the offences punishable under Sections 80(2) read with Sections 3 (5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case is to the effect that the daughter of the informant was married to one Mithilesh Kumar and they had given gifts during the marriage, however, his daughter was continuously being tortured for dowry. It is alleged that he received information that the dead body of his daughter was found and when he came to see his daughter, he saw the body lying with froth coming out of her mouth.

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4. The learned counsel for the petitioners submits that the petitioners are the in-laws of the deceased. It has further been pointed out that the petitioners used to reside in the village and they were not even present there and they came rushing in when they heard about the death of their daughter-in-law. It has next been submitted by the learned counsel for the petitioners that prima facie, from the perusal of the post-mortem report, as mentioned in the impugned order, it would be evident that the case seems to be of suicide rather than murder. It has also been submitted that the innocence of the petitioners could be gathered from the fact that they did not run away from the place of occurrence, rather, they were present there and they were apprehended by the police. It has lastly been submitted that the husband of the deceased is already in custody and the petitioners carry clean antecedent and they are in custody since 29.07.2026.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court

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in connection with Dumra P.S. Case No. 381 of 2026, subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative and the other shall be local resident.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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