

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89305 of 2025

Arising Out of PS. Case No.-216 Year-2024 Thana- MANIYARI District- Muzaffarpur

Santosh Kumar @ Santosh Rai @ Santosh Ray S/O Late Satyananrayan Ray
R/O Village- Jagdishpur, P.S.- Maniyari, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 04-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State .

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 80/3(5) of B.N.S.,
2023.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that marriage of his daughter was solemnized with the
petitioner on 14.12.2019, after marriage, the accused persons
started demanding a buffalo and on account of non-fulfillment
of demand, the victim was tortured, it is next alleged that the
husband of the victim was living in Delhi and on the date of
occurrence, he instigated his family members against the victim,
further on 01.09.2024, he received an information that his



daughter has been killed, accordingly, the informant came to the place of occurrence and came to know that the dead body had been taken to the cremation ghat, accordingly reached the crematorium when he saw police vehicle parked and dead body of the victim was taken for post-mortem.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant, it is further submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the same does not inspire confidence for the reason that the date of occurrence is 01.09.2024 and F.I.R. came to be instituted on 13.09.2024 when informant alleges that she had gone to the place of occurrence on 01.09.2024 itself, it is also submitted that petitioner was staying in Delhi and the informant alleges that on instigation of the petitioner, his family members might have committed the occurrence, it is next submitted that from post-mortem reports records, the cause of death as asphyxia as a result of hanging, which amply demonstrates that the victim committed suicide.

5. Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner. Learned counsel for the informant submits that what



is not disputed rather stands admitted is that victim died. It is also submitted that the victim died within seven years of marriage as such in law also, the presumption is against the husband and the family members, it is next submitted that petitioner might not be present at the place of occurrence when the occurrence is alleged to have taken but then petitioner being husband made conditions conducive for the victim to take the extreme step of ending her life, it is also submitted that it is the primary duty of the husband to ensure well being of his wife and if the wife was being tortured in his absence by his family members, on account of which she committed suicide, in that event also the responsibility of the petitioner as husband cannot be ignored.

6. After hearing the learned counsel for the parties, and taking into consideration the submission made by learned counsel appearing on behalf of the informant, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner. Therefore, the prayer for bail of this petitioner is rejected.

(Satyavrat Verma, J)

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