

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87977 of 2025

Arising Out of PS. Case No.-215 Year-2025 Thana- RAMGARH District- Kaimur (Bhabua)

Dhiraj Singh Son of Kameshwar Singh Resident of Village - Mahuar, P.S. -
Ramgarh, District - Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saharsh Shubham, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 105 and 3(5) of B.N.S.,
2023.

3. Learned counsel for the petitioner submits that
petitioner has antecedents of two cases and the informant alleges
that his sister was married to Dhiraj Singh about 13 years back
and, out of the wedlock, two children were born who are aged 12
years and 10 years. Further, petitioner used to torture his sister for
dowry of Rs.5,00,000/- and was in an illicit relationship with
Priyanka Singh. It is further alleged that accused persons including
the petitioner killed his sister.

4. Learned counsel for the petitioner submits that
petitioner being the husband has been falsely implicated in the



instant case by the informant. It is next submitted that deceased was earlier married to the brother of the petitioner and after the death of his brother, the petitioner married the deceased about 13 years back and, out of the wedlock, two children were born. It is next submitted that in these 13 years of marriage, no case ever came to be instituted alleging torture for non-fulfillment of dowry demand. It is next submitted that the case also does not fall within the purview of Section 304B of the Indian Penal Code. It is further submitted that the deceased was suffering from typhoid for which she was being treated at different hospital, as would manifest from the prescriptions annexed with the anticipatory bail application. It is also submitted that the victim died a natural death but then the instant FIR came to be instituted by way of afterthought after three days.

5. The learned APP, Mr. Chandra Bhushan Prasad opposes the anticipatory bail application by submitting that no doubt what has been submitted by the learned counsel for petitioner is difficult to countenance, i.e., the marriage was 13 years old, out of wedlock two children were born and no case ever came to be instituted in these 13 years against the petitioner or his family members by the deceased or the informant alleging torture for non-fulfillment of dowry demand but then it is submitted that it is an admitted fact that victim died. How she died could have been



ascertained by way of post mortem but if it was a natural death, in that event, certificate of the doctor was required certifying death but then no such document has been brought on record to substantiate that death of the victim was a natural death nor death certificate is on record which creates a suspicion with regard to the occurrence moreso when there is an allegation that petitioner was in an illicit relationship with Priyanka Singh. It is further submitted that investigation is still continuing and in the investigation only, it can be ascertained whether the victim died a natural death or she was killed for ulterior reason, as such, the learned APP submits that it is not a fit case for grant of anticipatory bail.

6. After hearing the learned counsel for the parties and considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail to the petitioner is hereby rejected in connection with Ramgarh P.S. Case No.215 of 2025, pending in the court of learned Judicial Magistrate, 1st Class, Mohania, Kaimur.

(Satyavrat Verma, J)

Sanjay/-

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