

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90523 of 2025

Arising Out of PS. Case No.-1055 Year-2023 Thana- MADHEPURA District- Madhepura

1. Mangal Das S/O Late Janak Das R/O Vill. - Dhurgaon Ward No. 10, P.s.- Madhepura (Bharrahi Op), Dist.- Madhepura
2. Manju Devi W/O Mangal Das R/O Vill. - Dhurgaon Ward No. 10, P.s.- Madhepura (Bharrahi Op), Dist.- Madhepura
3. Rajeev Kumar S/O Mangal Das R/O Vill. - Dhurgaon Ward No. 10, P.s.- Madhepura (Bharrahi Op), Dist.- Madhepura
4. Rupesh Kumar S/O Mangal Das R/O Vill. - Dhurgaon Ward No. 10, P.s.- Madhepura (Bharrahi Op), Dist.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 29-04-2026

1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Madhepura (Bharrahi O.P.) P.S. Case No. 1055 of 2023 dated 11.10.2023 registered under Section 302, 306 of the I.P.C. and cognizance taken on 20.08.2025 under Section 304(B), 34 of the I.P.C.

3. As per the F.I.R. about eight years back the marriage of the complainant's sister was solemnized with the co-accused Ajay Das. On 15.09.2023 in the evening some verbal dispute took place between the husband and wife and on 16.09.2023 the deceased's brother got information from the



villagers that his sister has died in her matrimonial home. On the basis of the statement made by the victim's brother a U.D. case was lodged however during course of investigation the family members of the deceased complained that Babita Devi (deceased) was killed either by administering poison or pressing her neck by the accused persons including the petitioners.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case and they have not committed any offence in the manner alleged. The marriage of the victim lady was solemnized with the co-accused Ajay Das about eight years back and there is no allegation of demand of dowry or torture etc. Due to some dispute with her husband the victim committed suicide by consuming poison. A U.D. case was lodged by the Police however subsequently the same was converted into F.I.R. The cause of death by poison and zinc phosphide was detected in the viscera report. The petitioner no. 1 is the father-in-law, petitioner no. 2 is the mother-in-law, petitioner no. 3 & 4 are 'devar' (brother-in-law) of the deceased. Police after investigation submitted final form exonerating the petitioners and not sending them for trial however the learned Magistrate differed with the final form and took cognizance against the



petitioners without any material. The husband of the deceased has been granted regular bail by a Coordinate Bench of this court in Cr. Misc. No. 89944 of 2025.

5. Regard being had to the submission made by the parties, taking into consideration the fact that in the post mortem report doctor has not given the cause of death and has mentioned cause of death to be ascertained after forensic lab report and the F.S.L. report says that poison was found in the viscera of the deceased, accordingly, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Madhepura (Bharrahi O.P.) P.S. Case No. 1055 of 2023 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

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(Anil Kumar Sinha, J)

