

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71852 of 2025

Arising Out of PS. Case No.-145 Year-2025 Thana- PAROO District- Muzaffarpur

1. Vinod Ray S/O Ramvilash Ray Resident of Village- Chainpur Chiutaha, P.S.- Paroo, District- Muzaffarpur
2. Bhagirath Ray @ Bhagrith Ray S/o Ramvilash Ray Resident of Village- Chainpur Chiutaha, P.S.- Paroo, District- Muzaffarpur
3. Bhagynarayan Ray S/O Ramvilash Ray Resident of Village- Chainpur Chiutaha, P.S.- Paroo, District- Muzaffarpur
4. Jawahar Ray S/O Chandradev Ray Resident of Village- Chainpur Chiutaha, P.S.- Paroo, District- Muzaffarpur
5. Suresh Ray S/O Chandradev Ray Resident of Village- Chainpur Chiutaha, P.S.- Paroo, District- Muzaffarpur
6. Rameshwar Ray S/O Rajendra Ray Resident of Village- Chainpur Chiutaha, P.S.- Paroo, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Adv.

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 16-10-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 80, 238 and 3(5) of the BNS, 2023.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that his cousin sister was married to Hari Shankar in the



year 2020, after marriage, the husband along with his parents started torturing her for dowry, further on 24.03.2025, the sister-in-law of his sister namely Reena (*Gotni*) called and informed that named accused persons including the petitioners strangled the victim to death, accordingly, the informant came to the place of occurrence and the dead body was sent for postmortem by the police.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that no doubt the death of the victim took place within seven years of marriage, as such, there is a presumption in law against the husband of the deceased and his family members, but then all deaths are not dowry deaths. It is further submitted that even demand of dowry is general and omnibus in nature and informant is not an eye witness to the occurrence. It is next submitted that had the petitioners been involved in the occurrence, in that event efforts would have been made to dispose of the dead body with a view to conceal evidence, but then from perusal of the allegation as alleged in the FIR, it would manifest that the dead body was lying in the house and the same was sent for postmortem by the police. It is reiterated and submitted that had the petitioners



been involved in the occurrence, in that event efforts would have been made to ensure that the dead body is not sent for postmortem or else the cause of death would be ascertained. It is next submitted that petitioner no. 4 is father-in-law of the deceased and rest of the petitioners are *agnates* of the husband of the deceased and they reside separately. It is further submitted that husband of the deceased is in custody. It is next submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Paroo (Paru) P.S. Case No. 145 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event if the



Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite giving assurance to this Court are not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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