IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46355 of 2026

Arising Out of PS. Case No.-310 Year-2025 Thana- RAJEPUR District- East Champaran

==========

1. Bishwanath Rai @ Vishwanath Rai @ Vishwanath Yadav Son of Late Basdeo Rai Resident of Village- Tetariya, P.S.- Rajepur, District- East Champaran, Motihari
2. Shail Devi Wife of Bishwanath Rai @ Vishwanath Rai Resident of Village- Tetariya, P.S.- Rajepur, District- East Champaran, Motihari

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Rajesh Kumar, Adv
For the Opposite Party/s : Mr. Rajendra Singh, APP

==========

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR

ORAL ORDER

3 21-08-2026 Heard the learned counsel for the petitioners and the learned A.P.P. appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Rajepur P.S. Case No. 310 of 2025 registered for the offences punishable under sections 80, 238 and 3(5) of the B.N.S.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant to the effect that her daughter was married to Vivek Ray and subsequently, within six months of marriage, her daughter was killed by the petitioners. It is alleged that her daughter was being pressurized for bringing bullet motorcycle and other

WEB COPY

articles in dowry and on her refusal, she was tortured by the petitioners.

4. The learned counsel for the petitioners submits that petitioners are innocent. He submits that the petitioner no. 1 is the grand father and the petitioner no. 2 is the grand mother of the husband of the deceased lady. He further submits that no demand of dowry was ever made by the petitioners herein and the daughter of the informant committed suicide. When the informant came to know about this fact, she filed a compromise petition before the learned Judicial Magistrate, Sadar, Motihari, East Champaran on 05.12.2025. Even the police during course of investigation did not find any involvement of the petitioners in the alleged occurrence. He further submits that petitioners have got a clean antecedent.

5. *Per contra*, the learned A.P.P. for the State opposes the prayer for bail and submits that there is allegation of demand of dowry and committing murder of the informant's daughter due to non-fulfillment of demand of dowry against the petitioners.

6. Having considered the rival submission and after going through the record, it appears that there is allegation of dowry and committing murder of the informant's daughter, due

WEB COPY

to non-fulfillment of demand of dowry. The petitioners are grandfather-in-law and grandmother-in-law of the deceased. A compromise has been entered into between the parties. The petitioners have got a clean antecedent. The prayer for anticipatory bail petition of the husband of the deceased was rejected by this Court vide order 08.07.2026 in Cr. Misc. No. 44748 of 2026 and vide same order, the anticipatory bail of the father-in-law and mother-in-law of the deceased was allowed. Considering the above, let the above named petitioners, in the event of arrest/surrender within a period of six weeks, be enlarged 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 learned C.J.M., Motihari, East Champaran in connection with Rajepur P.S. Case No. 310 of 2025, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 with further condition:

(i) The trial court shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court concerned shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of

WEB COPY

the above-mentioned order shall not be delayed for purpose of or in the name of verification.

shital/- **(Ritesh Kumar, J)**

U		T	

WEB COPY