

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4558 of 2025

Arising Out of PS. Case No.-279 Year-2024 Thana- KHIJARSARAI District- Gaya

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1. Usha Devi W/O Late Suresh Prasad R/O Village- Pathra, P.S- Khizarsarai, District- Gaya.
 2. Tarun Kumar S/O Late Suresh Prasad R/O Village- Pathra, P.S- Khizarsarai, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sapna Kumari W/O Arun Kumar R/O Village- Pathra, P.S- Khizarsarai, District- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Singh, Advocate Mr. Mukul Jee, Advocate
For the Opposite Party/s	:	Mr. Ram Bilash Roy Raman, APP Mr. Brijeshwar Narayan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 10-06-2025

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Khizersarai P.S. Case no. 279 of 2024 registered under sections 189(2), 126(2), 115, 109, 85 and 352 of the Bharatiya Nyaya Sanhita, 2023 and sections 3 and 4 of the D.P. Act.

3. As per the prosecution case, the informant states that she was married to the son of the petitioner no.1 herein in the year 2018. At the time of marriage Rs.4 lacs in cash, gold ornaments besides other articles were given by her father. It is further stated that soon thereafter the five named accused



persons including the two petitioners herein started to torture the informant for non-fulfillment of the demand of dowry of a further amount of Rs. 2 lacs. Ultimately the accused persons took her to an isolated place and brutally assaulted her. She was left for dead but somehow rescued by the villagers.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case only for the reason of their being the mother-in-law and *devar* (brother-in-law) of the informant. The allegations are general and omnibus in nature. The petitioners have remained in custody since 6.9.2024 and charge-sheet has been submitted in the case. They have no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant appearing online has opposed the prayer for bail submitting that not only the petitioners are named in the F.I.R. but there is direct allegations against them of having brutally assaulted the informant and leaving her for dead. It is submitted that it is not a case for grant of bail. Learned counsel for the informant has also shown some photographs purporting to be of the injured informant.

6. Having heard learned counsel for the parties and



taking into consideration the allegations against the petitioners in the F.I.R. being general and omnibus, the petitioners not having any criminal antecedent, their being in custody for 9 months since 6.9.2024 and charge-sheet having been submitted in the case, both the petitioners are directed to be enlarged on bail in connection with Khizersarai P.S. Case no.279 of 2024, on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate First Class, Gaya.

(Partha Sarthy, J)

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