

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9719 of 2025

Arising Out of PS. Case No.-538 Year-2024 Thana- MAJHAULIA District- West Champaran

1. Urmila Devi @ Nayan Devi W/O Musafir Yadav R/O Vill.- Dumari, P.S.- Majhauria, Dist.- West Champaran
2. Ram Prakash Kumar @ Ram Prakash Yadav S/O Musafir Yadav R/O Vill.- Dumari, P.S.- Majhauria, Dist.- West Champaran
3. Abha Devi W/O Anil Yadav R/O Vill.- Sheorahi, P.S.- Jagdishpur, Dist.- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 13-05-2025 Heard Mr. Brij Kishor Mishra, learned counsel appearing on behalf of the petitioners and Mr. Binod Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Majhauria P.S. Case No. 538 of 2024 registered for the offence(s) punishable under Sections 80, 123, 3(5) of the BNS, 2023.

3. As per the allegation made in the FIR, due to non-fulfillment of demand of dowry, the petitioners, along with other family members, tortured the the sister (diseased) of the informant, who was married with the son of the petitioner no.1,



with a common intention to kill.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and they have falsely been implicated in the present case. The petitioner no.1 is the mother-in-law, the petitioner no.2 is the brother-in-law and the petitioner no.3 is the (married) sister-in-law of the deceased and she is residing in another village. The petitioner no.2 is own brother of the husband of the deceased and he is aged about 20 years. On these grounds, the petitioners seek to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the FIR, I am not inclined to enlarge the petitioner no.1, who is mother-in-law of the deceased, on pre-arrest bail. So far as, the petitioner nos.2 and 3 are concerned, the petitioner no.2 is the own brother of the husband of the deceased and he is aged about 20 years, the petitioner no.3 is the married sister-in-law of the deceased and she is residing in another village, I am of the opinion that petitioner nos.2 and 3 have, *prima facie*, made out a case to be released on pre-arrest bail.



7. The petitioner nos.2 and 3, above named, are directed to be released on pre-arrest bail, in the event of their 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, Bettiah, District-West Champaran in connection with Majhaulia P.S. Case No. 538 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner nos.2 and 3 and if it is found that the petitioner nos.2 and 3 are involved in some other cases, as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

9. Accordingly, the present bail petition stands disposed of.

(Purnendu Singh, J)

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