

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15371 of 2025

Arising Out of PS. Case No.-450 Year-2024 Thana- SHAHPUR PATORI District- Samastipur

1. Chandan Kumar S/o Bablu Sah Resident of Village - Dharampur, Bande, P.S.- Sahpur Patori, Distt.- Samastipur
2. Rupa Kumari D/o Bablu Sah Resident of Village - Dharampur, Bande, P.S.- Sahpur Patori, Distt.- Samastipur
3. Bablu Sah S/o Rajendra Sah @ Rajendar Sah Resident of Village - Dharampur, Bande, P.S.- Sahpur Patori, Distt.- Samastipur
4. Manju Devi W/o Bablu Sah Resident of Village - Dharampur, Bande, P.S.- Sahpur Patori, Distt.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khusbhoo Devi W/o Kundan Sah R/o vill - Dalusu, P.s.- Waris Nagar, Distt.- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 15-05-2025 Heard Mr. Raja Ram Mishra, learned counsel for the petitioners and Mr. Uday Pratap Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Sahpur Patori P.S. Case No. 450 of 2024, F.I.R. dated 14.11.2024 for the offences punishable under Sections 126(2), 115(2), 85, 352, 351(2), 3(5) of Bharatiya Nyay Sanhita, 2023 and 3(iv) of Dowry Prohibition Act.

3. According to prosecution case, the informant



alleged she was subjected to torture and harassment in her matrimonial home due to non-fulfillment of demand of dowry. It is further alleged that when the family members of the informant went to see her, the petitioners assaulted them.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Petitioner no.1 is brother-in-law, petitioner no.2 is sister-in-law, petitioner no.3 is father-in-law and petitioner no.4 is mother-in-law of the informant. From bare perusal of the FIR it appears that although the petitioners are named in the FIR but specific allegation of assault is attributed against co-accused person, namely, Kundan Sah who happens to be the husband of the informant and petitioner no.1 that he assaulted the mother and uncle of the informant. Although they have received injury but the injury report of the injured persons suggest that injury is simple in nature caused by hard and blunt substance.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, petitioners are in-laws of the informant and injury inflicted upon the injured persons is simple in nature and there is no specific



allegation of demand of dowry against the petitioners rather the allegation against them is general and omnibus, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 the learned JM, 1st Class, Samastipur in connection with Sahpur Patori P.S. Case No. 450 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at



any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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