

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20902 of 2025

Arising Out of PS. Case No.-1105 Year-2022 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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1. Samful Devi @ Bimla Devi Wife of Chuhan Yadav @ Chauhan Yadav Resident Of Village- Paura, P.S.- Nawada, P.S.- Nawada, District- Nawada
 2. Chuhan Yadav @ Chauhan Yadav Son of Surat Yadav Resident of Vill- Paura, P.S.- Nawada, District- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Kanchan Devi Wife of Rajendra Kumar R/O Vill- Paura O.P. Kadirganj, P.S.- Nawada, District- Nawada at present Daughter of Balmiki Yadav, Resident of Vill- Bhagwat Bigha, P.S.- Warsaliganj, District- Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vibhuti Ranjan Sonvadra, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP
For the informant	:	Mr. Amarendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 01-08-2025 Heard Mr. Vibhuti Ranjan Sonvadra, learned counsel for the petitioner and Mr. Amarendra Kumar, learned counsel for the informant beside Mr. Jitendra Kumar Singh, learned APP for the State.

2. The petitioners are apprehending arrest in connection with Complaint Case No. 1105 of 2022 instituted under Section 498(A) of the Indian Penal Code lodged and section 4 of the Dowry Prohibition Act lodged by the informant, Kanchan Devi.

3. As per the prosecution story, the lady was married



to the Rajendra Kumar but always tortured for dowry. Earlier, she gave birth to a child but the dowry torture continued and later, she was ousted from the house. This led to the FIR.

4. In this case, on 02.05.2025, on the undertaking given by the parents-in-law that they will be taking the lady to their home to keep her with full dignity and honour, the matter was posted for 04.07.2025.

5. The lady went to the in-laws' house and on the next date, she informed that the husband neither dines nor shares the room with her.

6. It was disputed by the mother-in-law and she submitted that to her knowledge, she is pregnant.

7. In that background, the lady herself underwent the pregnancy test which has now turned positive. The parents-in-law has already undertaken that she shall be kept with full dignity and honour and further shall be paid Rs. 1500/- per month.

8. The lady complains that the payment has not been made, learned counsel for the petitioners undertakes that whatever due is pending, shall be cleared and she will be kept with full dignity and honour.

9. Taking into account the words of the learned



counsel for the petitioners and it has been informed by Mr. Amrendra Kumar that if such undertaking is given, the lady is ready to go to in-laws' house, being pregnant, she has to be taken care of by her husband, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

10. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Complaint Case No. 1105 of 2022 to the satisfaction of learned Sub-Divisional Judicial Magistrate, Nawada subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the



investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

11. The husband/in-laws shall ensure that the lady who is presently at her parents home is taken to home within a period of two weeks failing which the lady is free to file cancellation of bail.

(Rajiv Roy, J)

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