

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25994 of 2025

Arising Out of PS. Case No.-265 Year-2024 Thana- KAMTAUL District- Darbhanga

1. Sheela Devi @ Shila Devi wife of Jagmohan Ray Village and Po- Ahiyari PS -kamtaul District -Darbhanga
2. Jagmohan Ray son of Brij Nandan Ray @ Bij Nand Ray Village and Po- Ahiyari PS -kamtaul District -Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.B.K. Mangalam, Advocate
	:	Mr. Awnish Kumar, Advocate
For the State	:	Mrs. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 03-09-2025 Heard Mr. S.B.K. Mangalam, learned counsel for the petitioner and learned Mrs. Asha Kumari, learned APP representing the State.

2. The petitioners are apprehending their arrest in connection with Kamtaul P.S. Case No. 265 of 2024 for the offence punishable under Sections 80 and 3(5) of the Bharatiya Nyaya Sanhita, lodged on 16.09.2024 by the informant Bindeshwar Yadav.

3. As per the prosecution story, the informant alleged that the deceased was married to the petitioner no.2 but of late she was tortured for dowry and wanted her mother to alienate the property that was in her name. The further allegation is that



few months ago, he came with petitioner no.1, a married lady as also the child and started living with her as a couple, the children used to fight which led the two ladies also to enter in the arena and in that background, she took the extreme step and is now no more.

4. Learned counsel for the petitioners submit that exaggerated F.I.R. is there, no demand of dowry was made, the lady was not married to her, the deceased was of short temperament and ultimately took extreme step.

5. Learned APP Mrs. Asha Kumari on the other hand has taken this Court to the supervision note which is part of the case diary, earlier called for by the coordinate Bench and as per paragraph no.33, he brought the lady to his home and was living with her, regular fight between them ultimately led to the extreme step, the wife is no more, she has also taken this Court to the plaint to show that the petitioner no.1 has shown herself to be the wife of petitioner no.2.

6. Considering the submissions of the parties as also the materials on record/supervision note of the Sub-Divisional Police Officer, this Court is not inclined extend them privilege of anticipatory bail.

7. Accordingly, the anticipatory bail application



stands rejected.

8. However, if the petitioners surrender within four weeks from today, the court concerned shall take up the bail application and dispose it of preferably on the same day without looking into the observation that has made in the present order.

(Rajiv Roy, J)

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