

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25874 of 2025

Arising Out of PS. Case No.-31 Year-2024 Thana- Mahila District- Arwal

1. Asha Devi W/o- Gupteshwar Choudhary Resident of Village- Jamuawan PS- Sandesh Dist- Bhojpur at Ara
2. Gupteshwar Choudhary S/o- Late Ras Bihari Choudhary Resident of Village- Jamuawan PS- Sandesh Dist- Bhojpur at Ara
3. Pawan Choudhary @ Pawan Kumar Choudhary S/o- Gupteshwar Choudhary Resident of Village- Jamuawan PS- Sandesh Dist- Bhojpur at Ara
4. Guria Devi W/o- Pawan Choudhary Resident of Village- Jamuawan PS- Sandesh Dist- Bhojpur at Ara
5. Renu Devi @ Kumari Renu W/o- Chandan Choudhary Resident of Village- Jamuawan PS- Sandesh Dist- Bhojpur at Ara
6. Chandan Choudhary @ Chandan Kumar S/o- Uday Narayan Choudhary Resident of Village- Jamuawan PS- Sandesh Dist- Bhojpur at Ara
7. Niki Kumari D/o- Gupteshwar Choudhary Resident of Village- Jamuawan PS- Sandesh Dist- Bhojpur at Ara

... .. Petitioner/s

Versus

1. The State of Bihar
2. Niki Kumari D/o- Lal Sharma Resident of Village- Ganiyari PS- Kinjar Dist- Arwal

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rama Kant Singh, Advocate
For the State	:	Mr. Anil Kumar, APP
For the Informant	:	Mr. Ashok Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 23-07-2025 Heard learned counsel for the petitioners and learned
APP for the State as well as learned counsel for the informant.

2. The petitioners seek bail, apprehending their arrest,
in connection with Mahila P.S. Case No. 31 of 2024, dated
23.11.2024, registered for the offences punishable under



Sections 115(2), 126(2), 85 and 3(5) of the B.N.S., 2023 and Section 34 of the D.P. Act.

3. As per allegation, subsequent to the marriage between the informant and co-accused Deepak Kumar Choudhary, additional demand of dowry started on the part of the husband and his family members and on account of non-fulfillment of the same, she has been subjected to torture including attempt to burn her by pouring kerosene oil on her and ultimately, she has been ousted from the matrimonial home.

4. Ld. counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that husband is not petitioner here and all the petitioners are other than husband. He further submits that the whole case is false against the petitioners. He further submits that as a matter of fact, on account of normal wear and tear of married life, marriage is not working and case has been filed by the informant against the husband and his family members. He further submits that the maximum punishment prescribed for the alleged offence is three years.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.



6. It has further been stated in paragraph no.3 of the bail petition that the petitioners have no criminal antecedent.

7. However, learned APP for the State and learned counsel for the informant vehemently oppose the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners, above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Mahila P.S. Case No. 31 of 2024, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedent, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.



(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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