

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27817 of 2025

Arising Out of PS. Case No.-180 Year-2024 Thana- CHACKMEHSI District- Samastipur

Nibha Devi W/o Raj Narayan Ram Resident of Village- Somnaha, Ward No. 7, P.S.- Chakmehsi, District- Samastipur,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 28282 of 2025

Arising Out of PS. Case No.-180 Year-2024 Thana- CHACKMEHSI District- Samastipur

Akhilesh Ram Son of Raj Narayan Ram Resident of Vill- Somnaha, Ward No. 7, P.S.- Chakmehsi, District- Samastipur,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 27817 of 2025)
For the Petitioner/s : Mr. Bhavesh Kumar, Advocate
For the Opposite Party/s : Mr. Pronoti Singh, APP
(In CRIMINAL MISCELLANEOUS No. 28282 of 2025)
For the Petitioner/s : Mr. Bhavesh Kumar, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-05-2025 Since both the applications arise out of Chakmehsi P.S. Case No. 180 of 2024, as such, they have been taken up together and are being disposed of by this common order.

02. Heard learned counsel for the petitioners and learned APPs for the State.

03. In the present case, the petitioners seek bail in



connection with Chakmehsi P.S. Case No. 180 of 2024 registered for the alleged offences under Section 80 of Bharatiya Nyaya Sanhita, 2023 and Section $\frac{3}{4}$ of Dowry Prohibition Act.

04. As per prosecution case, daughter of the informant was married with the co-accused Ramesh Ram, who is son and younger brother of petitioners-Nibha Devi and Akhilesh Ram, respectively. The daughter of the informant died in her matrimonial home on 05.11.2024. The allegation against the petitioners and other co-accused persons is that of demanding dowry and torturing the daughter of the informant on non-fulfillment of the dowry demand.

05. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The deceased was a short tempered lady and was in the habit of quarreling even on trivial issues. On fateful day, she had quarreled with her husband and by taking extreme step, she committed suicide. Thereafter, the informant and others were informed by the husband of the deceased, who came to the matrimonial house of the deceased. However, being provoked by the enemies of the petitioners, the informant submitted a written report. There is no specific allegation against the petitioners and there has never been any dowry demand. For this



reason, no offence under Section 80 of BNS is made out. The informant after realizing his mistake have amicably settled the dispute outside the court and the informant does not want to prosecute his case. The petitioners are having clean antecedent. The petitioner-Nibha Devi is in custody since 06.03.2025 whereas petitioner-Akhilesh Ram is in custody since 11.01.2025.

06. Learned APPs for the State opposes the prayer for bail. Learned APPs submit that petitioner-Nibha Devi is mother-in-law and petitioner-Akhilesh Ram is the brother-in-law of the deceased and there is allegations of torture, that too, on non-fulfillment of dowry demand and consequently, the daughter of the informant being killed.

07. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioners are in-laws and there is no specific allegation against the petitioners and further considering the period of custody of the petitioners, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Samastipur/court concerned in connection with



Chakmehsi P.S. Case No. 180 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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