

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36199 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- GHORASAHAN District- East
Champaran

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Rajesh Rai S/O Late Regani Rai Resident of village - Nonaura , P.S.-
Ghorasahan, District- East Champaran

... .. Petitioner/s

Versus

- 1. The State Of Bihar Bihar
- 2. Asmrita Kumari D/O Krishndev Rai Yadav, W/O Subas Kumar Resident of
village - Nonaura , P.S.- Ghorasahan, District- East Champaran. Present
Resident of village - Jhitkiya , P.S.- Kaleya, District- Bara, Nepal

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP
For the Informant : Mr. Arun Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

5 13-08-2025 Heard learned counsel for the petitioner; learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Ghorasahan P.S. Case No. 68 of 2025 dated 03.03.2025,
instituted for the offence punishable under Sections 126(2),
115(2), 89, 85, 3(5) of the Bharatiya Nyaya Sanhit, 2023 and
Section 3/4 of the Dowry Prohibition Act.

3. The prosecution case, in short, is that informant
was married to Subhash Kumar in May, 2020. Her in-laws
(brother-in-law Rajesh Rai, sister-in-law, Shyama Devi and
mother-in-law, Koili Devi) demanded dowry, including a cow,



furniture and Rs. 2 lakhs. She faced physical and verbal abuse due to non-fulfillment of dowry demands. On February 27, 2025, her in-laws physically abused her, kicked her in the abdomen, leading to a miscarriage. Her husband abandoned her at the India-Nepal border under the pretext of treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner is the elder brother of the husband of the informant and he is living separately from his brother since 3-4 years. The marriage of the informant was solemnized with the younger brother of petitioner namely, Subhas Kumar and she came at her matrimonial house and started living. After one year, the victim started cruelty with her husband and family member. The informant pressurized her husband to live separately and leave her in-laws. Her husband always tried to pacify the matter but went in vain. Later on, the informant fled away from her matrimonial house without giving any information either to her husband or his family member. It is next submitted that the allegation levelled against the petitioner is general and omnibus in nature. Lastly, it has been submitted that the petitioner is in custody since 06.03.2025, he has one criminal case against him and charge-sheet has been



submitted in the case.

5. Learned A.P.P. and learned counsel for the informant vehemently opposed the prayer for bail of the petitioner and submitted that he is the main culprit of the present case.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sikarhana at Dhaka, East Champaran in Ghorasahan P.S. Case No. 68 of 2025.

(Khatim Reza, J)

sankalp/-

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