

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42045 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- THARTHARI District- Nalanda

1. Mahajani Devi W/O Ram Ishwar Chauhan R/O Vill.- Basta, P.s.- Tharthari, Dist.- Nalanda.
2. Mohan Chauhan @ Mohan Kumar S/O Ram Ishwar Chauhan R/O Vill.- Basta, P.s.- Tharthari, Dist.- Nalanda.
3. Sanoj Chauhan S/O Late Jagdish Chauhan R/O Vill.- Dihuri, P.s.- Atri, Dist.- Gaya.
4. Lalti Devi W/O Sanoj Chauhan R/O Vill.- Dihuri, P.s.- Atri, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lovekush Kumar
For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-07-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 80(2), 123, 3(5) of the B.N.S., 2023.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that her daughter was married to Sohan Chauhan in the year 2023, after marriage her daughter was tortured for dowry, further on account of non-fulfillment of the dowry demand, the accused persons assaulted her daughter and poisoned her to



death.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the same does not disclose as to what was being demanded by the accused persons by way of dowry. It is also submitted that every death is not a dowry death. It is next submitted the dead body of the deceased was sent for postmortem and the viscera has been preserved. It is next submitted that had the petitioners been involved in the occurrence in that event efforts would have been made to dispose of the death body with a view to conceal the evidence. It is next submitted that petitioners are mother-in-law, brother-in-law, Nandoshi and married Nanad of the deceased. It is further submitted that whenever any dispute arises in between the husband and the wife and the occurrence of the nature as alleged takes place, the entire family members are implicated in a mechanical manner. It is also submitted that petitioners will not abscond rather will co-operate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.



6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Tharthari P.S. Case No.27/2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this court are not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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