

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40523 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- MIRGANJ District- Purnia

1. Sanjo Devi W/o Sadri Ram R/o Dumariya, P.S.- Miriganj, Distt.- Purnea
2. Lalan Ram @ Lalan Kumar S/o Balmiki Ram @ Valmiki Ram R/o vill - Bhangha, P.S - Pothia, Distt.- Katihar
3. Mohan Ram S/o Balmiki Ram @ Valmiki Ram R/o vill - Bhangha, P.S - Pothia, Distt.- Katihar
4. Ravi Ram @ Seru Ram @ Sairu Kumar S/o Balmiki Ram @ Valmiki Ram R/o vill - Bhangha, P.S - Pothia, Distt.- Katihar
5. Havri Devi W/o Balmiki Ram @ Valmiki Ram R/o vill - Bhangha, P.S - Pothia, Distt.- Katihar
6. Sukho Devi W/o Balmiki Ram @ Valmiki Ram R/o vill - Bhangha, P.S - Pothia, Distt.- Katihar
7. Balmiki Ram @ Valmiki Ram S/o Late Ganesh Ram R/o vill - Bhangha, P.S - Pothia, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Bhagat, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-07-2025 Heard Mr. Sumit Kumar Bhagat, learned counsel

for the petitioners and Mr. Ram Sumiran Rai, learned APP for

the State.

2. The petitioners are apprehending their arrest in
connection with Mirganj P.S. Case No. 22 of 2025, F.I.R. dated
10.02.2025 registered for the offences punishable under
Sections 126(2), 115(2), 352, 351(2), 85, 80(2), 3(5) of the
B.N.S. Act, 2023.



3. Allegation against the petitioners is of committing torture and caused death due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. From perusal of the F.I.R. it appears that although the petitioners are named in the F.I.R. but there is no specific allegation of any assault or overt act or demand of dowry rather there is general and omnibus allegation against all the accused persons including these petitioners. He further submits that petitioner no. 1 is mother-in-law of the deceased and petitioner nos. 2 to 7 are close relatives and the husband of the deceased, namely, Munna Ram who happens to be son of petitioner no. 1 is in judicial custody since 11.02.2025.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and there is no specific allegation of any assault or overt act or



demand of dowry attributed against them and co-accused namely, Munna Ram who happens to be the husband of the deceased is in judicial custody, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Purnea in connection with Mirganj P.S. Case No. 22 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall



verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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