

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44422 of 2025

Arising Out of PS. Case No.-277 Year-2025 Thana- MOHANIYA District- Kaimur (Bhabua)

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1. Dukhanti Sharma @ Ram Awadh Sharma, S/o Late Dharm Deo Sharma;
2. Dewanti Devi @ Hemwanti Devi, W/o Dukhanti Sharma @ Ram Awadh Sharma;

Both are Resident of Village- Mobarakpur, P.S.- Mohania, Distt.- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
		Mr. Pawan Kumar Singh, Advocate
For the State	:	Ms. Puspha Sinha, Addl. P.P.

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

4 16-12-2025 Heard Mr. Krishna Prasad Singh, the learned Senior Advocate assisted by Mr. Pawan Kumar Singh, the learned Advocate for the petitioners and Ms. Puspha Sinha, the learned Addl. Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Mohania P.S. Case No. 277 of 2025 registered for the offences under Sections 80 and 3(5) of the Bharatiya



Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the informant has alleged that his sister, whose marriage was solemnized with one Deepak Sharma on 26.05.2023, was done to death on account of non-fulfillment of dowry by her husband as well as her father-in-law and the mother-in-law.

4. The learned Senior Advocate appearing on behalf of the petitioners submits that they are the father-in-law and the mother-in-law of the deceased respectively and there is general and omnibus allegations leveled against them. It has been submitted that the husband of the deceased is in custody and from the mere reading of the F.I.R., it would be evident that it was only on presumption that the petitioners have been implicated in this case.

5. The learned Senior Advocate has referred to the *post-mortem* report, wherein the cause of death is said to be the injury sustained due to hard and blunt substance, however, there was bruise found on both sides of the neck.

6. It has lastly been pointed out that it was the brother of the husband of the deceased, who had informed the parents of the deceased about the incident and therefore the allegations leveled against the petitioners are false and concocted.



7. The learned Addl. Public Prosecutor for the State has vehemently opposed the prayer and has submitted that the petitioners being the father-in-law and the mother-in-law of the deceased cannot be granted bail as they were party to the said incident of assault causing death of the informant's sister.

8. Considering the facts and circumstances of the case and especially taking into account the fact that there is general and omnibus allegations leveled against the petitioners, let the petitioners, above-named, be released on anticipatory bail, in the event of their arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Mohania P.S. Case No. 277 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present before the concerned Court/successor Court on each and



every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail-bonds of the petitioners will be liable to be cancelled by the concerned Court/successor Court.

(iv) The concerned Court/successor Court shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that they have concealed their criminal antecedent, the Court concerned shall take necessary steps for cancellation of their bail-bonds. 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.

9. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

10. The application stands allowed.

(Sourendra Pandey, J)

Praveen-II/-

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