

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56453 of 2025

Arising Out of PS. Case No.-71 Year-2024 Thana- MAHILA P.S. District- Lakhisarai

1. Neelam Devi @ Nilam Devi W/o Upendra Kumar Singh @ Upendra Singh @ Upendra Kumar Sing R/o village - Adarsh Nagar , Ulao , ward no. - 8 , police station - Singhaul , District - Begusarai
2. Upendra Kumar Singh @ Upendra Singh @ Upendra Kumar Sing S/o Late Yadunandan Singh @ Late Jadunandan Singh village - Adarsh Nagar , Ulao , ward no. - 8 , police station - Singhaul , District - Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Aarti Kumari W/o Rohit Kumar @ Monu village - Adarsh Nagar , Ulao , ward no. - 8 , police station - Singhaul , District - Begusarai. D/o Ramakant Singh At present R/o vill - Nandnama, P.s.- Ramgadh Chawk, Dist. - Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mahendra Pratap, Adv.
For the Opposite Party/s	:	Mr. Ram Sevak Choudhary, APP
For the Informant/s	:	Mr. Rajesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 10-11-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Mahila P.S. Case No. 71 of 2024 registered for the offence punishable under Sections 126(2), 115(2), 85, 352, 351 read with Section 3(5) of the B.N.S. and Section ¾ of the D.P. Act.

3. As per the prosecution case, the petitioners and the



co-accused persons are alleged to have tortured the informant mentally and physically due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner has submitted that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. The petitioner no.1 is the mother in law and the petitioner no2. is the father-in-law of the informant. The petitioners neither demanded any dowry nor tortured the informant. The petitioners have relied upon the judgment of this Court in the case of "**Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.**" Learned counsel has further submitted that Section 498A of the IPC is triable by the Magistrate. Learned counsel has further relied on the judgments in the case of **Satendra Kumar Antil Vs. Central Bureau of Investigation and Another (2022) 10 SCR 351** and **Md. Asfak Alam Vs. The State of Jharkhand & Anr passed in Criminal Appeal No(s). 2207 of 2023** arising out of Special Leave Petition (CRL.) No. 3433 of 2023. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State and learned counsel for



the informant have vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Lakhisarai in connection with Mahila P.S. Case No. 71 of 2024, subject to conditions as laid down under section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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