

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62720 of 2025

Arising Out of PS. Case No.-38 Year-2024 Thana- MAHILA PS District- East Champaran

1. Ambika Prasad @ Ambika Prasad Kumar S/O Late Ramashish Mahto Resident of Village- Siripur Kaswa, P.S.- Ghorasahan, Dist.- East Champaran
2. Sudama Devi @ Sudaya Sinha W/O Ambika Prasad @ Ambika Prasad Kumar Resident of Village- Siripur Kaswa, P.S.- Ghorasahan, Dist.- East Champaran
3. Bittu Kumar @ Priyanshu Kumar S/O Ambika Prasad @ Ambika Prasad Kumar Resident of Village- Siripur Kaswa, P.S.- Ghorasahan, Dist.- East Champaran
4. Shilpi Kumari @ Priyanka Kumari W/O Rajesh Kumar R/O Vill.- Rajwada, P.S.- Sahebganj, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Sarita Kumari D/O Chandeshwar Prasad R/O Vill.- Murli, P.S.- Chhauradano, Dist.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Adv. Mr. Hemant Ray, Adv.
For the State	:	Ms. Renu Kumari, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 15-09-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 89, 82(1), 115(2), 127(2), 351(2), 352, 316(2), 85 of the B.N.S., 2023 and Section 3/4 D.P. Act.

3. The allegation in the FIR is that all the accused persons, on account of non-fulfillment of the demand of dowry,



committed cruelty and torture with the informant and also assaulted her during her pregnancy due to which miscarriage was caused to the informant.

4. Learned counsel for the petitioners submits that the petitioners are the old father-in-law, mother-in-law, brother-in-law and a married sister-in-law, who are all separate in mess and residence from the informant and her husband, who is primarily responsible for the welfare of his wife. It is further submitted that as against the allegation of causing miscarriage, no medical report is on record to show the same. It is also submitted that the incident of assault had taken place in the month of February in the year 2022, while the present case has been filed on 15.11.2024 and it would be evident that the present case has come to be lodged four months after having knowledge of the fact that her husband, who was having some illicit love relationship, has got performed his second marriage.

5. Learned APP for the State, however, opposes the prayer for anticipatory bail.

6. Taking into consideration the facts and circumstances of the case and also considering that the petitioners are all in-laws of the informant/victim and the FIR itself would show that the thrust of the allegation is upon the husband and the present



case has also been necessitated on account of the performance of second marriage by the husband of the informant, let the petitioners, above named, who have no criminal antecedent, in the event of their arrest or surrender before the Court below within four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Mahila Motihari P.S. Case No. 38 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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