

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67131 of 2025

Arising Out of PS. Case No.-365 Year-2024 Thana- BIHARIGANJ District- Madhepura

1. Tarana Khatoon Daughter of Md. Alam Resident of village - Tulsiya Babhangama, Ward No.- 07, P.S.- Bihariganj, District - Madhepura.
2. Asyana @ Ashiyana Khatoon Daughter of Md. Alam Resident of village - Tulsiya Babhangama, Ward No.- 07, P.S.- Bihariganj, District - Madhepura.
3. Md. Aejaaj @ Aejabul @ Md. Aejaaj Raj Son of Md. Alam Resident of village - Tulsiya Babhangama, Ward No.- 07, P.S.- Bihariganj, District - Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gulfasa Khatoon @ Gulfashan Khatoon Wife of Md. Babul Resident of village - Tulsiya Babhangama, Ward No.- 07, P.O.- Baijnathpur, P.S.- Bihariganj, District - Madhepura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Adv.
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-10-2025 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant, Mr. Sanjeev Kumar.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 115(2), 118(1), 126(2), 75, 85, 352 and 3(5) of the BNS, 2023 read with Sections 3/4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and are sister-in-



laws (*Nanad*) and brother-in-law (*Dewar*) of the informant. It is next submitted that the dispute is matrimonial and whenever any differences or dispute occurs in between the husband and the wife, the entire family members are implicated in a mechanical manner with a view to coerce the husband into submission. It is further submitted that petitioner no. 1 is married sister-in-law and petitioner no. 2 is unmarried sister-in-law of the informant. It is next submitted that police after threadbare investigation came to a considered conclusion that petitioners are innocent and thus submitted final form exonerating the petitioners of the allegation, but then the learned Magistrate differing with the police report took cognizance, as such, the petitioners apprehend their arrest. It is next submitted that when one Investigating Agency after threadbare investigation came to a considered conclusion that petitioners are innocent whether it would be prudent for the Court to send the petitioners to jail based on an order of cognizance which came to be taken based on the same police report which had exonerated the petitioners of the allegations.

4. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners, but then the learned counsel



appearing on behalf of the informant fairly submits that police after investigation submitted final form exonerating the petitioners of the allegations.

5. 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 trial court 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 the learned trial court where the case is pending/successor court in connection with Bihariganj P.S. Case No. 365 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

6. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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