

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72223 of 2024

Arising Out of PS. Case No.-29 Year-2024 Thana- NADI District- West Champaran

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1. Yashoda Devi Wife of Mohan Ran R/O-Village -Ahirwalita Revenue, PS-Bagaha, Distt.- West Champaran
 2. Ashok Ram Son of Mohan Ram R/O-Village -Ahirwalita Revenue, PS-Bagaha, Distt.- West Champaran
 3. Santosh Ram Son of Mohan Ram R/O-Village -Ahirwalita Revenue, PS-Bagaha, Distt.- West Champaran
 4. Mohan Ram Son of Jagdeo Ram R/O-Village -Ahirwalita Revenue, PS-Bagaha, Distt.- West Champaran
 5. Nathu Ram Son of Jagdeo Ram R/O-Village -Ahirwalita Revenue, PS-Bagaha, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kishore Choudhary
For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 29-01-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State, Shri. Chandra Bhushan Prasad.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 80, 238 3(5) of B.N.S.
3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner Nos. 1 and 4 are mother-in-law and father-in-law of the deceased, while petitioner No. 2 and 3 are brothers-in-law (dewar of the



deceased) and petitioner No. 5 is cousin father-in-law of the deceased. It is next submitted that the informant alleges that his daughter was married to Harindra Ram on 18-6-2016, further after three years of marriage, all the accused persons including the petitioners started torturing his daughter for motorcycle, on which the informant came to the matrimonial house of his daughter and tried to reason out with the accused person and thereafter returned. It is next alleged that after 21 days, informant came to know that his daughter has been assaulted and ousted from her matrimonial house, accordingly he along with his brother-in-law went to the matrimonial house of his daughter and took her to his house, thereafter the accused person started pressurizing the informant for motorcycle by way of dowry on which he assured that the demand would be fulfilled within 2-3 years and the deceased came back to her matrimonial house. It is further alleged that 20 days earlier his daughter called her mother and narrated about the torture being committed to her on account of non-fulfillment of the dowry demand. It is next alleged that the informant went to the matrimonial house of his daughter when he came to know that his daughter has been killed and dead body has been cremated, accordingly the instant FIR was instituted.



4. It is next submitted that the petitioners, being family members of the husband of the deceased, have been falsely implicated in the instant case by the informant based on general and omnibus allegations of demand of dowry. It is next submitted that even from perusal of the allegation as alleged in the FIR, it would manifest that the same does not inspire confidence and the marriage was more than seven years old when the FIR came to be instituted. It is next submitted that the cousin father-in-law (petitioner No. 5) is separate in mess and property from the petitioner No. 4, but then he has also been implicated in the instant case, which amply demonstrates that the informant only with a view to coerce the entire family member into submission instituted the instant case.

5. Learned APP, Shri. Chandra Bhushan Prasad, opposes the anticipatory bail of the petitioners and submits that no doubt allegation as alleged in the FIR are vague, but then what is not in dispute rather stands admitted is that daughter of the informant died and the body was cremated, which amply demonstrates that the petitioners either were involved in the occurrence or if not involved then supported the husband of the deceased in getting the body cremated, but then that is an aspect of investigation.



6. After hearing the learned APP, the court is not inclined to extend the privilege of anticipatory bail to petitioner Nos. 1, 2, 3 and 4.

7. Accordingly, the prayer for anticipatory bail of the petitioner Nos. 1, 2, 3 and 4 is rejected.

8. However, the petitioner No. 5, Nathu Ram, in the event of his 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) 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 Nadi P.S. Case No. 29 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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