

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69780 of 2025

Arising Out of PS. Case No.-1039 Year-2015 Thana- TILAUTHU District- Rohtas

1. Lalita Devi W/O Raj Mohan R/O Vill.- Chandanpura, P.S.- Tilauthu, Dist.- Rohtas.
2. Munna Sharma @ Himanshu Kumar Sharma S/O Janki Sharma R/O Mohalla- Pali Dehri, P.S. Dehri (T) Dist.- Rohtas.
3. Anil Sharma S/O Janki Sharma R/O Mohalla- Pali Dehri, P.S. Dehri (T) Dist.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-10-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 379 and 354/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that name of the husband of the wife of the informant is Hari Mohan Sharma and Hari Mohan Sharma is own brother of Raj Mohan, as such, the informant is own sister-in-law of Lalita Devi (petitioner no. 1). It is further submitted that petitioners no. 2 and 3 are own brothers of petitioner no. 1. It is next submitted that initially a complaint case was filed by Dhanwanti Devi



against the accused persons including the petitioners based on which the instant FIR came to be instituted in the year 2015. It is also submitted that petitioner no. 1 was having matrimonial dispute with her husband Raj Mohan, as such, she had instituted a Complaint Case No. 588 of 2012 against her husband, the instant informant and her husband along with others. It is further submitted that in retaliation, the present informant initially instituted a complaint against the petitioners in order to coerce them into submission. It is next submitted that petitioners till date were not aware that an FIR has been instituted as the police never made any endeavours to arrest them.

4. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners and submits that the police after investigation have submitted charge-sheet on which learned counsel appearing on behalf of the petitioners submits that no doubt charge-sheet has been submitted but then police never felt the need of arresting the petitioners and no process under Section 82 Cr.P.C. has been issued till date and the dispute is in between the family members, as such, no useful purpose would be served by sending the petitioners to jail.

5. Considering the submissions made by the learned counsel for the petitioners, let 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 Tilauthu (Sasaram) P.S. Case No. 1039 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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