

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68570 of 2025

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

1. Julekha Khatoon W/o- Md. Alam R/o Village-Tulsiya Babhangama Ward No- 07 P.S-Bihariganj District-Madhepura
2. Md. Alam S/o- Late Md. Bashir R/o Village-Tulsiya Babhangama Ward No- 07 P.S-Bihariganj District-Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gulfasa Khatoon @ Gulfashan Khatoon W/o- Md. Babul R/o Village-Tulsiya Babhangama Ward No- 07, Po- Baijnathpur, P.S-Bihariganj District-Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pawan Kumar, Adv.
For the Opposite Party/s	:	Mr. Ramesh Chandra, APP
For the Informant	:	Mr. Sanjeev Kumar, Adv.

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.

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, being mother-in-law and father-in-law of the informant, have been falsely implicated in the instant case. It is



next submitted that the dispute is matrimonial and from perusal of the allegations as alleged in the FIR, it would manifest that the thrust of allegation is against the husband. It is also submitted that whenever any dispute arises in between the husband and the wife and the occurrence of the nature as alleged takes place, the entire family members are implicated in a mechanical manner with general and omnibus allegations. It is also submitted that police during the course of investigation gave notice under Section 35 of the BNSS to the petitioners and the petitioners also cooperated in the investigation, thus, police never felt the need of arresting the petitioners, but in a mechanical manner charge sheet came to be submitted and cognizance was taken. It is next submitted that when police during the course of investigation never felt the need of arresting the petitioners whether it would be prudent for the Court to send the petitioners to jail merely because the charge sheet has been submitted and cognizance has been taken.

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 are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that police during the course of



investigation never felt the need of arresting the petitioners.

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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