

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71620 of 2025

Arising Out of PS. Case No.-166 Year-2024 Thana- BIRPUR District- Supaul

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1. Kavita Devi Wife of Balram Paswan Resident of village - Bishanpur, Ward No. 2, Police Station - Balua Bazar, District - Supaul
 2. Anar Devi @ Anar Kumari Daughter of Balram Paswan Resident of village - Bishanpur, Ward No. 2, Police Station - Balua Bazar, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

3 15-11-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Birpur (Balua Bazar) P.S. Case No. 166/2024 instituted under Sections 304(B), 201/34 of the Indian Penal Code lodged on 13.05.2024 by the informant, Jagdish Rajak.

3. The prosecution story in brief is that on 13.05.2024, a written petition was given by the informant to the police that the marriage of his daughter namely, Rupa Kumari was solemnized with accused, Karan Kumar on 10.10.2022 at Birpur Court out of her own free will and without the consent of the informant. The informant further stated that after the solemnization of the marriage, the accused, Karan Kumar and his father, Balram Paswan have started demanding the dowry of



Rs.5 lakh and one motorcycle and when the informant expressed his inability to pay the same, his daughter was caused to death by hanging/strangulation and further the accused persons have got the dead body disappeared. Accordingly, the FIR.

4. Learned counsel for the petitioners submits that these two petitioners on the basis of conjectures and surmises are falsely being implicated in this case only on the basis of the fact that they are mother-in-law and sister-in-law respectively of the victim rather they have not committed any offence as alleged and they are not even named in the FIR. It has next been submitted that initially only the husband was sent up for trial and the trial against the husband got concluded and so long the investigation continued with respect to the husband of the deceased, name of these petitioners did not surface showing their complicity in any manner, but after the judgment of acquittal was passed in favour of the husband, these two petitioners being mother-in-law and sister-in-law respectively have been roped in and are being sought to be put on trial without any basis. It has further been submitted that there is no material to support any complicity, still on the basis of presumption and strong apprehension of tampering the prosecution evidence, these petitioners have been implicated. It has next been submitted that from perusal of the order impugned passed in ABA No. 842/2025, it appears that while rejecting the prayer for



anticipatory bail, no material has been referred to show their complicity and, as such, these petitioners deserve the privilege of anticipatory bail.

5. Learned APP vehemently opposes the prayer for anticipatory bail submitting that a young lady has been deprived of her life at a very premature stage though, he fairly concedes that the husband of the victim has been finally acquitted.

6. Considering the nature of allegations and the manner in which these petitioners have been implicated in this case after the final acquittal of the husband of the victim and no material in the order impugned has been referred to show their complicity and the petitioners are not even named in the FIR, this Court is inclined to extend the petitioners the privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of six weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with aforesaid P.S. Case to the satisfaction of learned ACJM-1, Birpur, Supaul, subject to the conditions as laid down under Section 482(2) of the BNSS as also subject to the following conditions:-



(i) one of the bailors should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Ajit Kumar, J)

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