

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69652 of 2025

Arising Out of PS. Case No.-268 Year-2025 Thana- MINAPUR District- Muzaffarpur

1. Rahul Kumar S/o- Kapleshwar Sah @ Kapaleshvar Sah R/v- Daud Chhapra
Ps- Minapur Dist- Muzaffarpur
2. Kapleshwar Sah S/o- Late Ramvaran Sah R/v- Daud Chhapra Ps- Minapur
Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Adv.
For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 24-09-2025 Heard the learned counsel for the petitioners and the
learned Additional Public Prosecutor for the State.

2. The petitioners apprehends their arrest in connection
with Minapur P.S. Case No. 268 of 2025, dated 11.07.2025,
registered under Sections 126(2), 115(2), 109, 352, 351(2),
351(3), 3(5) of the B.N.S.

3. The prosecution case, in brief, is that the informant
had married his daughter Poonam Kumari with Rahul Kumar on
01.05.2024. Few days after the marriage, her husband and his
family members started torturing Poonam Kumari for dowry
The informant went to the matrimonial house of his daughter to



placate the matter, on which Rahul Kumar, Kapleshwar Sah and their family members started abusing the informant and also beat him. Rahul Kumar and Kapleshwar Sah hit the informant on his head with iron rod, due to which the informant's head was badly injured. The accused also beat Sunil Kumar and Poonam Kumari.

4. It is submitted by the learned counsel for the petitioners that petitioner no. 1 is the husband of daughter of the informant, who is said to have filed Divorce Case No. 355 of 2025 and upon having knowledge of divorce case, the instant case has been filed. Both parties are relative and due to some dispute, free fight between them have taken place, during which informant got injury, which was examined by the treating Doctor and have been found to be simple in nature, which can be gathered from the impugned order dated 19.08.2025. Due to ulterior reason, the instant case has been lodged for pressuring the petitioners and there is no specific allegation against the petitioners.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts that there is no specific allegation made against the petitioners and petitioner no. 1 being the husband of the daughter of the informant, the said case has been lodged, admittedly, fight had taken place between both the



parties, but injury sustained by the informant's side is said to be simple in nature, let the above named petitioners, be released on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each, to the satisfaction of the learned J.M., 1st Class, Muzaffarpur (East) in connection with Minapur P.S. Case No. 268 of 2025, subject to the condition as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-

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

(ii) the petitioner (s) 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 his/her/their bail bond by the Trial Court itself;

(iii) the petitioner (s) 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;

(iv) the petitioner (s) shall desist from committing any



criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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