

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77505 of 2025

Arising Out of PS. Case No.-142 Year-2025 Thana- KADWA District- Katihar

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1. Kailash Moholi, S/o Late Sukdev Moholi
 2. Nilam Devi @ Lila Devi W/o Kailash Moholi
Both are R/o Village-Mohammadpur, P.S.- Kadwa, Dist.- Katihar
- Petitioners

Versus

1. The State of Bihar
 2. Sapna Kumari, D/o Pradip Kumar Mohali, R/o Village-Mohammadpur, P.O.-
Durgaganj, P.S.- Kadwa, Dist.- Katihar
- Opposite Parties

Appearance :

For the Petitioner	:	Mr. Dharendra Kumar Jha, Advocate
For the State	:	Mr. Ramesh Chandra, APP
For the Informant	:	Mr. Santosh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-11-2025 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State duly

assisted by learned counsel appearing for the informant.

2. Both accused/petitioners are named in the FIR

and apprehending their arrest in connection with Kadwa P.S.

Case No.142 of 2025 registered under Sections 126(2),

115(2), 76, 303(2), 64(1), 352, 351(2), 351(3) read with

3(5) of the Bhartiya Nyaya Sanhita, 2023 (in short 'BNS') as

well as Sections 3 and 4 of the Dowry Prohibition Act.

3. As per FIR, the petitioners committed cruelty

upon informant along with her husband, who assaulted her



physically and also abused her sexually.

4. It is submitted by learned counsel appearing for petitioners that the husband of informant is in judicial custody for the allegation as raised through FIR. It is pointed out that both petitioner are in-laws implicated with this case only for the reason that they are parents of the husband of the informant. It is submitted that petitioners have been implicated with general and omnibus allegation as to raise demand of dowry.

5. Learned APP duly assisted by Mr. Santosh Kumar, learned counsel appearing for the informant while opposing the prayer of bail submitted that the petitioners being in-laws, actively participated in the occurrence.

6. In view of aforesaid factual submissions and by taking note of fact as general and omnibus allegation *qua* raising demand of dowry is against petitioners, who are in-laws of informant, accordingly, both petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees



Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Katihar in connection with Kadwa P.S. Case No.142 of 2025, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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