

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75229 of 2025

Arising Out of PS. Case No.-315 Year-2025 Thana- PAKRIDAYAL District- East Champaran

- 1. Prince Kumar @ Prince S/O Manoj Sah R/O Vill- Madhurapur, P.S.- Phenhara, Dist.- East Champaran At present both R/O Vill and P.S.- Pakaridayal, Dist.- East Champaran
- 2. Dipak Sah @ Dipak S/O Manoj Sah R/O Vill- Madhurapur, P.S.- Phenhara, Dist.- East Champaran At present both R/O Vill and P.S.- Pakaridayal, Dist.- East Champaran

... .. Petitioner/s

Versus

- 1. The State Of Bihar
- 2. Ragani Kumari D/O Late Dinanath Prasad, W/O Kundan Sah At present R/O Pakaridayal Near Girja Vivah Bhawan, P.S.- Pakaridayal, Dist.- East Champaran Permanent Address- Vill- Madhurapur, P.S.- Phenhara, Dist.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.
For the State : Mr.Jai Narain Thakur, A.P.P.
For the Informant : Mr. Abhishek Kumar, Adv.
Mr. Hemant Ray, Adv.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-11-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Pakaridayal P.S. Case No. 315 of 2025, registered for the offences under Sections 126(2), 115(2), 329(4), 76, 85, 92, 109, 352, 351(2), 3(5) of the BNS and Section 3/4 of the Dowry Prohibition Act.

3. As per the prosecution case, petitioners are brothers-in-law of the informant and allegation against the

petitioners and other co-accused persons are that they used to demand Rs.5 lakh in dowry and further used to torture the informant mentally and physically. Ultimately, the petitioners and the other co-accused persons brutally assaulted the informant and she lost her child in her womb due to this assault.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. There is general and omnibus allegation against the petitioners and other co-accused persons. The petitioners never demanded any dowry and never tortured the informant and they have been made accused in order to pressurize the husband of the informant in settling the matter with his wife. The petitioners are having clean antecedent and they are in custody since 05.07.2025. Charge sheet has been submitted. The co-accused persons have been granted anticipatory bail vide order dated 17.11.2025 passed in Cr. Misc. No. 79044 of 2025 by a Co-ordinate Bench of this Court. Learned counsel further submits that the anticipatory bail petition of the co-accused husband has been pending before the same Co-ordinate Bench which has ordered no coercive steps to be taken against the co-accused husband.

5. Learned A.P.P. appearing for the State as well as

learned counsel for the informant oppose the submission made on behalf of the petitioners. Learned counsel for the informant submits that there is specific allegation against the petitioners and other co-accused persons that they assaulted the pregnant informant and her pregnancy was terminated due to this assault.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the submission of charge sheet against the petitioners and their period of custody, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned C.J.M, East Champaran at Motihari/concerned court, in connection with Pakaridayal P.S. Case No. 315 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the

terms of the bail, the bail bond of the
petitioners will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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