

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73756 of 2025

Arising Out of PS. Case No.-951 Year-2022 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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1. Jayram Choudhary, S/o Late Achila Choudhary, R/o - Machhipur Agarpur, P.S - Lodipur, District - Bhagalpur
 2. Subita Devi @ Savitri Devi W/o Jayram Choudhary R/o - Machhipur Agarpur, P.S - Lodipur, District - Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bharti Kumari, W/o Bishun Choudhary, R/o Village - Satghara, Diwan Pokhar, P.S - Habibpur, District - Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Adv.
For the Opposite Party/s : Mr. Ajit Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-11-2025 Heard learned Advocate appearing on behalf of the

petitioners and the learned Additional Public Prosecutor for the

State.

2. The petitioners are apprehending their arrest in connection with Complaint Case No. 951 of 2022, wherein the learned Court has taken cognizance for the offences punishable under Sections 498A and 323 of the Indian Penal Code and Section $\frac{3}{4}$ of the D.P. Act.

3. The marriage of the complainant was solemnized with the son of the petitioners in April, 2021. However, soon after the marriage she was subjected to demand of dowry and on



account of non-fulfillment of the same, she was tortured in various ways. It is specifically alleged that on 30.04.2022 she was severely assaulted and left in a dying condition, whereafter her parents took her to a private hospital and get the treatment done.

4. Learned Advocate appearing on behalf of the petitioners submits that petitioners are none else, but the parents-in-law of the complainant and they are living separately for so many years. Nonetheless, the present Complaint Case has been instituted by making a general and omnibus allegation against against all the family members. There is no injury report produced by the complainant, however taking note of medical prescription of treatment of the opposite party no. 2, the prayer for bail of the petitioners were turned down by the learned Sessions Judge.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submits that though the petitioners are parents-in-law, but there is allegation against them of causing assault.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the fact that the petitioners are parents-in-law and the learned jurisdictional Court has taken cognizance only under Section



498A and 323 of the Indian Penal Code and Section 3/4 of the D.P.Act, let the petitioners above named be released on bail, in the event of their arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Complaint Case No. 951 of 2022, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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