

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83233 of 2024

Arising Out of PS. Case No.-250 Year-2024 Thana- MANJHAGARH District- Gopalganj

1. Ful Kumari Devi Wife of Jojan Yadav Resident of Koini Babutola, P.S. - Manjhagargh, District - Gopalganj
2. Shakuntala Kumari Daughter of Jojan Yadav Resident of Koini Babutola, P.S. - Manjhagargh, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Deepankar Raj, Advocate
For the State	:	Mrs. Suman Kumari Singh, A.P.P
For the Informant	:	Mr. Danish Quamar, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 12-05-2025 Heard Learned Counsel for the petitioners and Learned APP for the State. Learned counsel for informant appears *suo-motu*.

2. The petitioners are apprehending arrest in connection with Manjhagarh P.S. Case No. 250 of 2024 lodged on 31.08.2024, for the offence punishable under Sections 126(2), 115(2), 109, 103, 85, 352, 351(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against 5 named accused persons (including the present petitioners) and one unknown person. It has been alleged by the informant that in the morning hours, a *panchayati* was going on in her in-laws



family concerning dowry demands made by the informant's father in law and husband and while the informant and her father went to the police station for lodging the FIR, then they were surrounded by the accused persons and they assaulted them by bricks and stones. When the informant's brother intervened, he was also attacked with bricks and stones. Subsequently, informant's father was taken to the hospital where doctor declared him dead.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that the entire allegation is false and is not correct and the petitioners are lady and they have nothing to do with the *panchayati*. Counsel submits that on the previous occasion, case diary and post-mortem report has been called for and from the post-mortem report, it transpires that there is no external injury on the body of the deceased and it is due to this reason, whatever be the allegation made in the FIR, is not supportive. Counsel further submits that petitioners have no criminal antecedent and they are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned counsel for informant vehemently opposes the prayer for bail and submits that the allegation is absolutely



correct in the FIR and due to assault, informant's father died. Counsel submits that in the year 2021, a Complaint Case No.1251/2021 has been filed by the informant in which the present petitioners were also made accused in this case, but about the said complaint case, suppression has been made by the petitioners and they have not disclosed about the said case in the present bail application.

6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that the Complaint Case No.1251/2021 appears to be pending against the present accused persons and in the said complaint case, the present petitioners have been shown as accused nos.4 & 5.

7. As such, in the present facts and circumstances of this case particularly after going through the post-mortem report that there is no external injury on the body of the deceased, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of ACJM-VI, Gopalganj, in connection with Manjhagarh P.S. Case No. 250 of 2024, subject to the



conditions as laid down U/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

8. It is made clear that prior to accepting the bail bond of the petitioners, the petitioners/informant are directed to produce the relevant documents of the said complaint case No.1251/2021. If, it has been found that any suppression has been made by the petitioners before this Court, then their bail bond shall not be accepted.

(Dr. Anshuman, J)

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