IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78688 of 2025

Arising Out of PS. Case No.-415 Year-2025 Thana- AKBARPUR District- Nawada

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1. Nitish Kumar S/o Anandi Prasad @ Anandi Mahato R/o vill- Paijuna, P.S.- Akbarpur, Distt. - Nawada
2. Sonia Devi @ Soni Devi W/o Lavkush Kumar @ Niraj Kumar R/o vill- Paijuna, P.S.- Akbarpur, Distt. - Nawada
3. Birja Devi @ Viranj Devi W/o Anandi Prasad @ Anandi Mahato R/o vill- Paijuna, P.S.- Akbarpur, Distt. - Nawada
4. Lavkush Kumar @ Niraj Kumar S/o Anandi Prasad @ Anandi Mahato R/o vill- Paijuna, P.S.- Akbarpur, Distt. - Nawada
5. Anandi Prasad @ Anandi Mahato S/o Late Bundi Mahato R/o vill- Paijuna, P.S.- Akbarpur, Distt. - Nawada

... ... Petitioner/s

Versus

1. The State of Bihar
2. Sakuntalal Devi W/o Late Jageshwar Prasad R/o vill - Medhkuri, P.S.- Maskaur, Distt.- Nawada

... ... Opposite Party/s

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Appearance :

For the Petitioners : Mr. Ranjay Kumar Singh, Advocate
Mr. Shankar Kumar, Advocate

For the State : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Section 87 of B.N.S., 2023.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioners no.2 and 3 are women and the informant alleges that her daughter was married to Bablu Kumar on 05.06.2020, after one year of

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marriage, the victim was tortured for dowry, next alleges that on 29.08.2025, the accused persons got the victim disappeared.

4. The learned counsel appearing on behalf of the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations, as alleged in the FIR, it would manifest that informant alleges that victim was married to Bablu Kumar on 05.06.2020 and in between 05.06.2020 till 2025, no FIR came to be instituted alleging demand of dowry or torture. It is further submitted that Bablu Kumar was deaf and dumb, as such, she left her matrimonial home on 29.08.2025. It is submitted that the informant was informed that her daughter has left her matrimonial home and thereafter the instant case came to be instituted. It is submitted that the victim subsequently was recovered and her statement was recorded under Section 183 B.N.S.S. wherein she has stated that she was brutally assaulted and ousted from her matrimonial home, as such, for ten days she was in a precarious condition and was begging on the road for food. Learned counsel for the petitioners further submits that it absolutely does not stand to reason that if the victim was assaulted and ousted from her matrimonial home they why she was begging on the road, she could have gone to her parents' house which creates a doubt with regard to genuineness of the allegation. It is also submitted that

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after the victim disappeared from her matrimonial home, the husband, who was deaf and dumb, went in search and died on account of being crushed by train, as would manifest from the post mortem reported dated 06.09.2025, annexed as Annexure-2.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, let petitioners, above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Akbarpur P.S. Case No.415 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Satyavrat Verma, J)

Sanjay/-

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