

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3120 of 2025

Arising Out of PS. Case No.-79 Year-2024 Thana- AURAI District- Muzaffarpur

1. Ram Sevak Sah S/O Babu Lal Sah Resident of Jagarnathpur Dhala P.S- Rampurhari, District- Muzaffarpur
2. Neeraj Kumar S/O Sukhdeo Sah R/O Village- Nayagaon, P.S- Aurai, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr.Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

221-02-2025

Heard learned counsel for the petitioners and learned A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Aurai P.S. Case No.79 of 2024 registered on 22.04.2024 for the alleged offences under Section 307, 341, 323, 325, 379, 504, 506/34 of the Indian Penal Code.

03. As per prosecution case, the informant was married for the second time with co-accused Sanjeet Kumar and after passage of some time, the husband of the informant started demanding Rs. 6 lakh in dowry. On 07.04.2024, the co-accused persons brutally assaulted the informant causing fracture of her hand. They also snatched gold mangalsutra, gold earring and gold nosepin from the informant. Allegation against the petitioners is

that petitioners who are the father of the sister-in-law of the informant and friend of the husband of the informant, respectively assaulted the informant with bamboo stick.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The prosecution story is not believable and no such occurrence ever took place. In fact, the informant had earlier lodged Mahila P.S. Case No. 03 of 2023 against her husband and other family members for offences under Section 498(A), 341, 342, 323, 504 and 506 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act. The injury report of the informant falsifies the prosecution story as the informant received only two injuries on her person and one of the injuries is on head which was found to be simple and another injury is fracture of nasal septum but the allegations are general and omnibus against a number of persons including these two petitioners. The petitioners are having clean antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioners. Learned A.P.P. submits that the petitioners are named in the FIR itself.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the general and omnibus allegation against the petitioners and other

co-accused persons and further considering the relationship of the petitioners with the informant and her husband and also considering possibility of false implication and clean antecedent of the petitioners, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Court of J.M.F.C., Court No. 3, East Muzaffarpur in connection with Aurai P.S. Case No.79 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure 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 court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Anuradha/-

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