

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2443 of 2025

Arising Out of PS. Case No.-214 Year-2024 Thana- NAWANAGAR District- Buxar

1. Punam Devi, W/O Sunil Kumar Sah, Resident of Village- Anaith (Gorhana Road), P.S.- Nawada, District- Bhojpur.
2. Sarun Sah @ Sarun Sah @ Sarun Kumar Gupta, S/O Indra Deo Sah, Resident of Village- Anaith (Gorhana Road), P.S.- Nawada, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 19-02-2025 Heard Mr. Ajay Kumar Singh, learned counsel appearing on behalf of the petitioners and Mr. Ajit Kumar, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Nawanagar P.S. Case No. 214 of 2024 registered under Section(s) 115(2), 126, 109, 117, 85, 352, 351(2-4), 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023 and Sections 3 and 4 of the D.P. Act.

3. As per the allegation made in the FIR, due to non-fulfillment of demand of dowry, the petitioners, along with other co-accused persons assaulted the informant.

4. Learned counsel appearing on behalf of the



petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. Petitioner no.1 is *gotini* and petitioner no.2 is *bhaisur* of the victim/informant. Learned counsel further submitted that petitioners are nowhere concerned with the strained matrimonial relationship of the informant and her husband as they reside at different village. The petitioners have clean antecedent. On these grounds, the petitioners seek to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that the petitioners reside at different village and they are only family members of the main accused and also the fact that the petitioners have clean antecedent, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Buxar in



connection with Nawanagar P.S. Case No. 214 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J.)

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