

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5076 of 2025

Arising Out of PS. Case No.-280 Year-2024 Thana- GUTHANI District- Siwan

1. Amrita Kumari @ Amrita Kumari Yadav @ Sarita Kumari D/o- Shri Ram Singh Yadav
2. Ankita Kumari @ Ankita Kumari Yadav D/o- Shri Ram Singh Yadav.
Both are Resident Of Village- Balua, Ps- Guthni, Dist- Siwan
3. Rajwanti Devi @ Rajwanti W/o- Nandjee Yadav R/o Village- Ahirauli Baghel Ps- Bankatta Dist- Deoria U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-02-2025 Heard Mr.Ajay Kumar Tiwary, learned counsel
for the petitioner and Mr.Ram Sumiran Rai, learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Guthani P.S. Case No.280 of 2024, dated 12.10.2024 registered for the offences punishable under Section 80,3(5) of BNS, 2023 and Section 3/4 of Dowry Prohibition Act.

3. Allegation against the petitioners is that they alongwith other co-accused persons have in furtherance of their common intention committed the dowry death of the



daughter of the informant.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. They have falsely been implicated in the present case merely on the ground that petitioner Nos.1 and 2 are sisters-in-law and petitioner No.3 is cousin mother-in-law of the deceased. Further submits that from a bare perusal of the FIR it appears that although petitioners are named in the FIR but there is no specific allegation of any assault or overt-act against them rather there is general and omnibus allegation against all the accused persons including the petitioners and informant is not the eye witness of the alleged occurrence and merely on the basis of suspicion, the name of the petitioners have been implicated in the present case.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent, there is no specific allegation against the petitioners in the FIR, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the



order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Siwan in connection with Guthani P.S. Case No.280 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall



take step for cancellation of bail bond of the petitioners.
However, the acceptance of bail bonds in terms of the
above-mentioned order shall not be delayed for purpose of
or in the name of verification.

(Rajesh Kumar Verma, J)

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