

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1027 of 2025

Arising Out of PS. Case No.-44 Year-2024 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. BISHNU SAHU @ BISHNU MALHU SAHU @ BILATU SAHU SONO FLATE MALHU SAHU @ LATE MALLU SAHU RESIDENT OF VILLAGE- DANGA, P.S.- ARER, DISTT.- MADHUBANI
 2. RANJU DEVI WIFE OF BISHNU SAHU @ BISHNU MALHU SAHU RESIDENT OF VILLAGE- DANGA, P.S.- ARER, DISTT.- MADHUBANI
 3. KRISHNA SAHU @ KISHAN KUMAR SAH @ KISHAN KUMAR SAHU SON OF BISHNU SAHU @ BISHNU MALHU SAHU @ BILATU SAHU RESIDENT OF VILLAGE- DANGA, P.S.- ARER, DISTT.- MADHUBANI
 4. GURIYA DEVI WIFE OF KRISHNA SAHU @ KISHAN KUMAR SAH @ KISHAN KUMAR SAHU RESIDENT OF VILLAGE- DANGA, P.S.- ARER, DISTT.- MADHUBANI

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. MAMTA KUMARI @ MAMTA DEVI WIFE OF KANHAIYA KUMAR SAHU, D/O UPENDRA RAM RESIDENT OF VILLAGE- DHANGA, P.S.- ARER, DISTT.- MADHUBANI

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. Subhash Kumar Jha, Advocate
For the State	:	Mr. Sadanand Paswan, Spl.PP
For the Complainant	:	Mr. Gagandeo Yadav, Advocate
		Mr. Udeshya Kumar, Advocate
		Mr. Vinod Kumar, Advocate
		Mr. Ravi Prakash, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 16-04-2026 Heard learned counsel appearing for the appellants,

learned Special Public Prosecutor appearing for the respondent-

State and learned counsel appearing for the

complainant/Respondent No. 2.

2. This appeal has been filed for setting aside order



dated 07.02.2025 passed in a complaint case registered for the offence punishable under Sections 341, 323, 354 and 504 of the Indian Penal Code and Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for grant of anticipatory bail of these appellants has been rejected.

3. The prosecution case, in brief, is that all these appellants, who happen to be in-laws of the complainant/Respondent No. 2, committed torture and harassment with her due to non-fulfillment of demand of dowry and also abused her by caste name.

4. It is submitted by learned counsel appearing on behalf of the appellants that appellants are quite innocent and have committed no offence. As a matter of fact, Appellant No. 1 is father-in-law, Appellant No. 2 is mother-in-law, Appellant No. 3 is brother-in-law and Appellant No. 4 is sister-in-law of the complainant/Respondent No. 2 and they have falsely been implicated in this case due to matrimonial discord. Marriage of complainant/Respondent No. 2 was solemnized with son of Appellant Nos. 1 and 2 and the same was a love-cum-inter caste marriage and as such, there was no occasion for these appellants to demand any dowry or commit torture. It is further submitted



that it is not the case of the prosecution that any member of public was present at the place of occurrence and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against these appellants. Appellants claim clean antecedents.

5. Learned Spl. P.P. appearing for the respondent-State and learned counsel appearing for the complainant/Respondent No. 2 have vehemently opposed the prayer for grant of bail to the appellants.

6. Considering the facts and circumstances of the case, relationship between the parties, general and omnibus nature of accusation and clean antecedents of the appellants, this appeal is allowed and the impugned order dated 07.02.2025 passed by the learned Additional Sessions Judge 1st-cum-Special Judge, SC/ST, Madhubani in connection with A.B.P. No. 153 of 2025 arising out of C.R. Case No. 44 of 2024 is hereby set aside with respect to these appellants only.

7. Accordingly, let the appellants, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged 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 Additional Sessions Judge 1st-cum-Special Judge,
SC/ST, Madhubani in connection with C.R. Case No. 44 of
2024.

(Prabhat Kumar Singh, J)

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