

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23148 of 2025

Arising Out of PS. Case No.-504 Year-2024 Thana- SUGAULI District- East Champaran

1. Mina Devi, Wife of Laxman Mahto
 2. Laxman Mahto, Son of Chhatu Mahto
 3. Anesh Mahto @ Anish Kumar, Son of Laxman Mahto
- All are Resident of Village - Gopalpur, P.S. - Sugauli, District - East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Tuhin Shankar, Advocate
		Mr. Gopal Kumar, Advocate
For the State	:	Md. Shakir Ahmad, APP
For the O.P. No.2	:	Mr. Abhishek Kumar, Advocate
		Mr. Sharad Kumar Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

7 08-01-2026 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State duly assisted by learned counsel appearing for the informant.

2. The accused/petitioners are named in the FIR and apprehending their arrest in connection with Sugauli P.S. Case No.504 of 2024 registered under Sections 103(1) and 238 read with 3(5) of the Bhartiya Nyaya Sanhita, 2023 (in short 'BNS').

3. Allegation against petitioners is to raise a demand along with other family members for one Apache



motorcycle and golden rings and due to non-fulfilment of same, the daughter of informant was found disappeared from her matrimonial home since 12.11.2024.

4. It is submitted by Mr. Tuhin Shankar, learned counsel appearing for the petitioners that the husband of petitioner is in judicial custody. It is further submitted that petitioner no.1 is father-in-law and petitioner no.2 is mother-in-law and petitioner no.3 is brother-in-law, who are living separately, having no connection with daily and domestic affairs with the daughter of informant and her husband. It is submitted that implication of petitioners is only out of relations and moreover the demand of dowry, which was raised just to aggravate the allegation is appearing very much general and omnibus in nature. While concluding argument, it is pointed out that FIR in issue was lodged after three days of the missing of the daughter of informant, without having any explanation and moreover the petitioners are of clean antecedent.

5. Learned APP duly assisted by Mr. Abhishek Kumar, learned counsel appearing for the informant while



opposing the prayer of anticipatory bail could not disputed the aforesaid factual submissions.

6. In view of aforesaid factual submissions and by taking note of fact as petitioners are in-laws *prima facie* facing general and omnibus allegation as its appear from facial perusal of FIR itself, who claimed living separately from deceased daughter of informant and her husband, accordingly, all three above-named petitioners are directed to be released on bail, in the event of their arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Sugauli P.S. Case No.504 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS and with further condition:-

(i) That petitioners shall co-operate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from



physical appearance be allowed by the Trial Court only on medical ground of the petitioners duly supported by the documents.

(Chandra Shekhar Jha, J.)

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