

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25379 of 2026

Arising Out of PS. Case No.-226 Year-2025 Thana- MAINATAND District- West Champaran

1. Sita Devi W/o Vyas Patel @ Vyas Raut Resident of Village- Hamja Tola, Mainatand, P.S.- Mainatand, District- West Champaran
2. Vyas Patel @ Vyas Raut S/o Late Rajkishore RAut @ Late Rajvanshi Patel Resident of Village- Hamja Tola, Mainatand, P.S.- Mainatand, District- West Champaran
3. Sujit Kumar S/o Vyas Patel @ Vyas Raut Resident of Village- Hamja Tola, Mainatand, P.S.- Mainatand, District- West Champaran
4. Prakash Kumar S/o Vyas Patel @ Vyas Raut Resident of Village- Hamja Tola, Mainatand, P.S.- Mainatand, District- West Champaran
5. Sarita Devi W/o Sujit Kumar Resident of Village- Hamja Tola, Mainatand, P.S.- Mainatand, District- West Champaran
6. Sugrim Patel @ Sugriv Patel @ Sugriv Rawat S/o Late Rajkishore Raut @ Late Rajvanshi Patel Resident of Village- Hamja Tola, Mainatand, P.S.- Mainatand, District- West Champaran
7. Dhurpati Devi W/o Sugrim Patel @ Sugriv Patel Resident of Village- Hamja Tola, Mainatand, P.S.- Mainatand, District- West Champaran
8. Ramlal Patel S/o Late Rajkishore Raut @ Late Rajvanshi Patel Resident of Village- Hamja Tola, Mainatand, P.S.- Mainatand, District- West Champaran
9. Lalpari Devi W/o Ramlal Patel Resident of Village- Hamja Tola, Mainatand, P.S.- Mainatand, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 20-05-2026 Heard learned counsel for the petitioners and learned APP for the State through virtual mode.

2. The petitioners are apprehending their arrest in connection with Mainatand P.S. Case No. 226 of 2025 dated 23.11.2025 registered for the offence punishable under Sections 80(2), 238(a), 61(2)(a), 3(5) of the Bhartiya Nyaya Sanhita,



2023.

3. As per prosecution case, the accusation against the accused persons including the petitioners is of demanding rupees two lakh and a motorcycle as dowry from the Informant's daughter and when their demands were not met, they murdered her and disposed of her body.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged in the F.I.R. It is submitted that the petitioner nos.1 & 2 are mother and father, petitioner nos. 3 & 4 are brother, petitioner no.5 is the sister-in-law (Bhabhi), petitioner nos. 6 & 8 are uncles and petitioner nos. 7 & 9 are aunt of the co-accused Rajkumar Patel (husband of the deceased). It is the case of the petitioners that the petitioners have no concern with the family affairs of the deceased and her husband as they were living separately in mess and property from the co-accused Rajkumar Patel. It is next submitted that no specific allegation attributing any overt act to the petitioners has been made so as to attract the provisions of Section 80(2) of the B.N.S., 2023, nor is there any material to suggest that the petitioners were beneficiaries of the alleged demand of dowry in any manner. It is further submitted that the husband of the deceased, namely, Rajkumar Patel, is



already in judicial custody, and the two minor children of the deceased, aged about two and four years respectively, are presently being nourished and brought up by their grandparents, i.e., petitioner nos. 1 and 2. It is further submitted that the petitioners are ready to cooperate in the investigation and also in trial if sent up by the prosecution, finding incriminating materials against them. It is lastly submitted that good sense have been prevailed with the Informant and having realized his mistake, the Informant is said to have made an application before the court concerned that under misconception, such case has been lodged by him.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners.

6. Having heard learned counsel for the parties and considering the fact that the petitioners were living separately and had no concern with the alleged demand of dowry and further taking into account that the death, which is stated to have been caused by asphyxia as a result of hanging, took place in the house where the husband and the deceased were residing, which is situated far away from the place where the petitioners reside as also there being nothing specific against the petitioners, let the above named petitioners, be released on 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bettiah, West Champaran in connection with Mainatand P.S. Case No. 226 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions;

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Ajit Kumar, J)

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