

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51731 of 2026

Arising Out of PS. Case No.-3010 Year-2024 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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1. Bhagan Sah S/O Dukhi Sah R/O Village- Sirisiya, PS- Yogapatti, Distt-West Champaran
 2. Champa Devi W/O Bhagan Sah R/O Village- Sirisiya, PS- Yogapatti, Distt-West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Manisha Devi W/O Kamlesh Sah, D/O Chhotu Sah R/V Kawalapur, PS-nawalpur, Distt- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 29-07-2026 Heard the learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Complaint Case No.3010-C of 2024 registered for the offences punishable under Sections 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. According to prosecution case, marriage between the complainant and the accused Kamlesh Sah was solemnized on 19.04.2020 according to Hindu rites. At the time of marriage, her family allegedly gave ornaments, clothes, cash worth Rs. 2



lakh, and a motorcycle worth Rs. 1 lakh. After the marriage, her husband, who was employed in Mumbai, returned there for work. Subsequently, the complainant came to know that her husband had allegedly already contracted another marriage in Mumbai. When she questioned her in-laws about this, they allegedly assaulted her and demanded additional dowry. Her parents approached the accused persons regarding the demand, but they were allegedly informed that the complainant was infertile and should be taken back. Thereafter, on 05.06.2024, the accused persons allegedly assaulted the complainant, forcibly expelled her from the matrimonial home, and retained all her *stridhan*. She then returned to her parental home and submitted a written complaint before the Mahila Police Station, Bettiah.

4. Learned counsel for the petitioners, by referring to the allegations made in the complaint case, submits that there is no whisper against these two petitioners and the petitioners being father-in-law and mother-in-law have never demanded any dowry and the specific allegation is against the husband (son of the petitioners), who is working at Bombay to earn his livelihood. It has next been submitted that the O.P. No.2 on her own volition, had deliberately left the matrimonial house and



there is no specific role of these two petitioners and are ready to cooperate with the investigation / Trial. Lastly, it has been submitted that the petitioners have no criminal antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that there is nothing specific allegation of torture and demand of dowry against these two petitioners and the specific allegation is against the husband and the petitioners have no criminal antecedent. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

7. 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) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Bettiah, West Champaran, in connection with Complaint Case No.3010-C of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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 his/her/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;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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