

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58081 of 2025

Arising Out of PS. Case No.-373 Year-2024 Thana- ALOULI District- Khagaria

Hardev Ram @ Hardev Kumar Ram S/O Musahru Ram Resident of Village-
Jagmohra, P.S- Bithan, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jayanti Devi W/O Hardev Ram @ Hardev Kumar Ram R/O Village-
Dubiyahi, P.S- Alauli, Distt.- Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh

For the Opposite Party/s : Mr.Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 11-05-2026 **1.** Heard learned counsel for the petitioner and learned
A.P.P. for the State, Sri Rabindra Kumar.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 326(G), 85, 352, 351(2)
and 3(5) of the Bharatiya Nyaya Sanhita.

3. The SHO and the Investigating Officer of the case, in
compliance of the order dated 29-4-2026, are present in the Court.

4. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and the informant alleges that
on 29-8-2024 at 12 mid-night, her husband (Hardev), elder brother-
in-law (Saroj) and her nephew put her hut on fire, on account of heat,
the informant woke up and came out of the house and saved her life,
but several articles including motorcycle and jewellery got burnt,



next alleges that reason for occurrence is that her husband used to demand dowry of Rs. 1 lakh, it is next alleged that petitioner performed his second marriage hence to kill the informant the occurrence was committed.

5. Learned counsel for the petitioner submits that petitioner resides at Samastipur and the informant is residing at Khagaria and distance from Samastipur to Khagaria is more than 8 kms. It is next submitted that it does not appear probable that the accused persons including the petitioner would have come to the hut of the informant for setting it ablaze. It is further submitted that in the FIR it is alleged that on account of fire, motorcycle, jewellery along with other articles were burnt, but then no burnt articles were recovered/seized from the place of occurrence. It is also submitted that a supplementary affidavit has been filed wherein a specific statement has been made that informant has performed her second marriage with Manish Kumar. It is next submitted that since informant was in love with Manish, as such she wanted to marry him and in order to get rid of the petitioner, the present false case came to be instituted. It is also submitted that the occurrence is dated 29-8-2024 and the FIR came to be instituted on 3-9-2024, i.e., after a delay of 5 days which also casts aspersion on the case of the prosecution.

6. On query of the court, as to whether the informant has performed her second marriage or not, or whether any burnt articles



were recovered from the place of occurrence or not, learned APP, based on instruction of the SHO and the Investigating Officer of the case, submits that informant has performed her second marriage and no burnt articles were recovered from the place of occurrence.

7. After hearing the learned counsel for the parties, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Aalauli P.S. Case No. 373 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. The personal appearance of the SHO and the Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

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