IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75771 of 2026

CNR No. BRHC011102122026

Arising Out of PS. Case No.-234 Year-2026 Thana- MALAHI District- East Champaran

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1. Bhola Pandit S/o Late Ganesh Pandit R/o Village - Mamarkha, Ward No. 17, P.S - Malahi, District - East Champaran
2. Ranju Devi W/o Bhola Pandit R/o Village - Mamarkha, Ward No. 17, P.S - Malahi, District - East Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sitesh Kashyap, Adv.
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR

ORAL ORDER

2 28-10-2026 Heard learned counsel appearing on behalf of the petitioners and learned A.P.P. appearing for the State.

2. The petitioners seek regular bail in connection with Malahi P.S. Case No. 234 of 2026 registered for the offence punishable under Sections 80/85/3(5) of B.N.S., and Section 3 and 4 of Dowry Prohibition Act.

3. As per the prosecution case, on 09.08.2026, at about 11:30 AM, the informant lodged a written report alleging that her daughter, Khushboo Kumari, had married the accused, Suraj Pandit, on 20.04.2026 according to Hindu rites and customs. It is alleged that, after marriage, her husband, father-in-law Bhola Pandit (Petitioner No. 1) and mother-in-law Ranju

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Devi (Petitioner No. 2) subjected her to cruelty in connection with a demand for a motorcycle and a gold chain. On 09.08.2026, the accused persons allegedly killed the deceased by pressing her neck.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is no specific allegation against the petitioners that they have demanded any dowry from the family of the deceased. He also submits that petitioner No. 1 is the father-in-law and petitioner No. 2 is the mother-in-law of the deceased. He next submits that the husband of the deceased namely, Suraj Pandit is in custody in this case, mentioned in paragraph- 13 of the bail petition. The petitioners are in custody since 10.08.2026 and they have no criminal antecedent. Therefore, they deserve the privilege of regular bail.

5. Learned APP appearing on behalf of the State vehemently opposes the prayer for bail of the petitioners and submits that the allegation levelled against the petitioners are serious in nature. He further submits that the petitioner No. 1 is the father-in-law and petitioner No. 2 is the mother-in-law of the deceased who are named in the FIR. He next submits that the petitioners have demanded dowry from the daughter of the

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informant in the said incident. Therefore, they do not deserve the privilege of regular bail.

6. Considering the aforesaid facts and circumstances of the case, there is no specific allegation against the petitioners, the petitioners are father-in-law and mother-in-law of the deceased as well as the fact that the husband of the deceased has been languishing in judicial custody, considering this case and period of custody, let the above named petitioners be released on bail, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Court of learned J.M.F.C., Motihari, East Champaran in connection with Malahi P.S. Case No. 234 of 2026, subject to the following conditions:

(i) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(ii) If the petitioners tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii) And, further condition that the court below shall

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verify the criminal antecedents of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Girijish Kumar, J)

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