IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77879 of 2026

CNR No. BRHC011111832026

Arising Out of PS. Case No.-34 Year-2026 Thana- DEOKUND District- Aurangabad

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1. Ranjeet Saw Son of Late Dhanuk Saw R/O Village- Hathiyara PS- Devkund District -Aurangabad Bihar
2. Saurabh Kumar @ Sauranbh Kumar son of Ranjeet saw R/O Village- Hathiyara PS- Devkund District -Aurangabad Bihar

... ... Petitioner/s

Versus

1. The State of Bihar
2. Anu Kumari Daughter of Sarjun Saw R/O Village- Piprahi, Ps- Goh, Dist- Aurangabad

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Amrit Lal, Advocate
For the Opposite Party/s : Mrs. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 05-11-2026 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 Devkund P.S. Case No.34 of 2026, F.I.R dated 17.05.2026 registered for the offences punishable under Sections 126, 115(2), 352, 351(2), 85, 91, 109 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, in brief, is that the informant, Anu Kumari, was married to Shankar Saw on 15.05.2025 according to Hindu rites and customs. Within two

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months of marriage, her husband and in-laws allegedly began subjecting her to physical and verbal abuse and demanding an additional dowry of Rs. 2,00,000/-, despite her parental family having already given Rs. 6 lakh in cash and various articles. During her pregnancy, her husband allegedly assaulted her by kicking and punching her stomach, while her husband and mother-in-law pushed her down the stairs, resulting in a miscarriage. Despite two Panchayat meetings convened with the assistance of the Sarpanch and Mukhiya, no settlement could be reached.

4. Learned counsel for the petitioners submits that, during the course of investigation, it has transpired that the informant was suffering from Hepatitis-B, a chronic disease, even prior to her marriage. It has next been submitted that the miscarriage is stated to have occurred due to complications arising during the informant's pregnancy and that no specific incriminating material is stated to have surfaced against them during the course of investigation. It has further been submitted that the petitioners were extended the privilege of the notice under Section 35(3) of the BNSS and that they have duly cooperated with the investigation and petitioner No. 1 is the father-in-law of the informant, whereas petitioner No. 2 is a

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student pursuing his Bachelor of Arts degree at Magadh University and is presently appearing in the Semester-II examinations. It has further been submitted that petitioner No. 2 has not misused the liberty granted to him pursuant to the notice issued under Section 35(3) of the BNSS. It has lastly been submitted that the petitioners have clean antecedent and undertake to continue cooperating with the investigation / trial.

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

6. Considering the aforesaid facts and circumstances that the petitioners have cooperated with the investigation pursuant to the notice issued under Section 35(3) of the BNSS and that no specific incriminating material is stated to have surfaced against them during the course of investigation, and that petitioner No. 2 is a student pursuing his studies and the petitioners have clean 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)

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with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate First Class (JMFC) Daudnagar, Aurangabad, in connection with Devkund P.S. Case No.34 of 2026, 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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