

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87526 of 2025

Arising Out of PS. Case No.-77 Year-2025 Thana- RAFIGANJ District- Aurangabad

1. Sarojiya Devi @ Saroja Devi Wife of Pana Saw @ Panna Lal Saw Resident of Village- Kotwara (Jakhim), P.S.- Rafiganj, District- Aurangabad
2. Hiralal Saw son of Panna Saw @ Panna Lal Saw Resident of Village- Kotwara (Jakhim), P.S.- Rafiganj, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 09-04-2026 Heard Mr. Binod Kumar Pandey, learned counsel

appearing on behalf of the petitioners and Mr. Uday Pratap

Singh, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection
with Rafiganj P.S. Case No. 77 of 2025 registered under
Sections 80/238(a), 3(5) of the Bharatiya Nyaya Sanhita (BNS),
2023.

3. As per the allegations made in the FIR, the
informant's daughter, who was married to one Santosh Sao, was
allegedly subjected to cruelty by her husband and in-laws on
account of a dowry demand of Rs. 10 lakh, and upon her death,
followed by a hurried cremation, the present case was instituted



against them.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and have been falsely implicated in the present case. The petitioner no. 1 is the mother-in-law and petitioner no. 2 is the brother-in-law of the deceased, and since the husband and wife were residing separately, the petitioners have no concern with the alleged occurrence. The petitioners have clean antecedents. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having considered the allegations made in the FIR and the materials available on record, this Court finds that petitioner no. 1, being the mother-in-law of the deceased, in view of the nature of allegations made against her and in the facts of the case, this Court is not inclined to enlarge the petitioner no.1 on pre-arrest bail.

7. So far as, petitioner no. 2 is concerned, considering that he is the brother-in-law of the deceased and was residing separately, and there appears to be no specific overt act attributed to him, this Court is of the opinion that petitioner no.



2 has, *prima facie*, made out a case for grant of anticipatory bail.

8. The learned District Court is directed to release the petitioner no. 2 on anticipatory bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned District Court where the case is pending in connection with Rafiganj P.S. Case No. 77 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S.

9. The learned District Court is directed to verify the criminal antecedent of the petitioner no. 2, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner no. 2, as what has been stated in paragraph no. 3, this order will lose its force automatically.

10. Accordingly, the present application stands disposed of.

(Purnendu Singh, J)

Ashishsingh/-

U		T	
---	--	---	--

