

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1607 of 2021

Arising Out of PS. Case No.-82 Year-2020 Thana- PAKRIDAYAL District- East Champaran

1. TIRA SAH @ HIRA SAH SON OF LATE POLAI SAH @ KOLAI SAH VILLAGE- HARNATHPUR PARSAUNI, P.S- PAKRIDAYAL, DISTRICT- EAST CHAMPARAN
2. RAJPATI DEVI W/o TIRA SAH @ HIRA SAH RESIDENT OF VILLAGE- HARNATHPUR PARSAUNI, P.S- PAKRIDAYAL, DISTRICT- EAST CHAMPARAN, MOTIHARI
3. REKHA DEVI WIFE OF RAMESHWAR SAH RESIDENT OF VILLAGE- PARSA, P.S- DHAKA, DISTRICT- EAST CHAMPARAN, MOTIHARI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-11-2021 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Pakridayal P.S. Case no. 82 of 2020 corresponding to G.R. No. 2952 of 2020 instituted for the offence under Sections 304B/34 of the Indian Penal Code.

It is alleged that the petitioners used to torture the deceased and ultimately they killed her due to non-fulfillment of demand of dowry.

Learned counsel appearing on behalf of the petitioners



has submitted that petitioners are innocent and have committed no offence. The deceased died of natural death.

Learned APP has opposed the prayer of bail.

Learned counsel appearing for the informant has submitted that deceased died due to strangulation.

Having heard learned counsel for the parties, seeing the gravity of the offence and going through the impugned order dated 5.9.2020 passed in ABP no. 1343/2020, it is evident that witnesses have supported the prosecution case, which is mentioned in para nos. 8 and 10 of the case diary, this Court is not inclined to grant bail to the petitioners and, as such, their application for bail stands rejected.

However, if the petitioners surrender and pray for regular bail, the same shall be considered by the court below, without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

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