

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8006 of 2022

Arising Out of PS. Case No.-138 Year-2021 Thana- BAKHTIARPUR District- Saharsa

1. RANJIT DAS S/o Late Bano Das @ Bano Tanti Resident of Village- Baraiwa Tola Ward No. 14, P.S.- Bakhtiyarpur, District- Saharsa.
2. Chhotu Das @ Chotu Das S/o Late Bano Das @ Bano Tanti Resident of Village- Baraiwa Tola Ward No. 14, P.S.- Bakhtiyarpur, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 8390 of 2022

Arising Out of PS. Case No.-138 Year-2021 Thana- BAKHTIARPUR District- Saharsa

1. RAJKISHORE DAS @ KISHOR DAS @ RAJKISHORE TANTI @ KISHORE TANTI S/o Bileshwar Das @ Bileshwar Tanti R/o village- Baraiwa Ward No. 15, P.S.- Bakhtiyarpur, District- Saharsa
2. Bechan Das S/o Bileshwar Das @ Bileshwar Tanti R/o village- Baraiwa Tola, Ward No. 14, P.S.- Bakhtiyarpur, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 8569 of 2022

Arising Out of PS. Case No.-138 Year-2021 Thana- BAKHTIARPUR District- Saharsa

BILESHWAR DAS @ BILESWAR DAS @ BILESHWAR TANTI S/o Late Ganeshwar Das Resident of Village- Baraiwa Tola Ward No.14, P.S.- Bakhtiyarpur, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 8006 of 2022)

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Amit Kumar Rakesh



(In CRIMINAL MISCELLANEOUS No. 8390 of 2022)

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Amitesh Kumar

(In CRIMINAL MISCELLANEOUS No. 8569 of 2022)

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 16-08-2022

IN CR. MISC. NO.8006 OF 2022

Heard learned counsel appearing on behalf of the petitioners and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioners seek bail in connection with Bakhtiyarpur P.S. Case No. 138 of 2021 registered for the offence under Sections 304(B), 201 and 120(B) of the Indian Penal Code.

The accused/petitioners are named in the F.I.R. and petitioner no.1 is in custody since 12.06.2021 and petitioner no.2 is in custody since 07.07.2021.

The allegation against the petitioners is to cause death of daughter of the informant along with other co-accused persons for non-fulfillment of demand of dowry.

Learned counsel appearing on behalf of the petitioners submitted that both the petitioners are brother-in-law (*Dewar*) of the deceased and are living separately, much prior to the



occurrence, having no connection with the daily affairs of the family of the deceased. It is also submitted that specific allegation is against husband of the deceased, who found in illicit relations with one Sunita Devi. It is also submitted that allegation as regard to demand of dowry is very much general and omnibus against petitioners, who are man of clean antecedent. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that petitioners are in-laws of the deceased.

Considering the facts and circumstances as mentioned above, as petitioners are in-laws, where allegation is specific against husband of the deceased coupled with the fact that charge-sheet has already been submitted, let both the petitioners, above named, are directed to be released on bail in connection with Bakhtiyarpur P.S. Case No. 138 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.



IN CR. MISC. NO.8390 OF 2022

Heard learned counsel appearing on behalf of the petitioners and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioners seek bail in connection with Bakhtiyarpur P.S. Case No. 138 of 2021 registered for the offence under Sections 304(B), 201 and 120(B) of the Indian Penal Code.

The accused/petitioners are named in the F.I.R. and petitioner no.1 is in custody since 07.07.2021 and petitioner no.2 is in custody since 27.08.2021.

The allegation against the petitioners is to cause death of daughter of the informant along with other co-accused persons for non-fulfillment of demand of dowry.

Learned counsel appearing on behalf of the petitioners submitted that both the petitioners are cousin brother / in-law of husband of the deceased and are living separately, much prior to the occurrence, having no connection with the daily affairs of the family of the deceased. It is also submitted that specific allegation is against husband of the deceased, who found in illicit relations with one Sunita Devi. It is also submitted that



allegation as regard to demand of dowry is very much general and omnibus against petitioners, who are man of clean antecedent. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioners are in-laws of the deceased.

Considering the facts and circumstances as mentioned above, as petitioners are in-laws, where allegation is specific against husband of the deceased coupled with the fact that charge-sheet has already been submitted, let both the petitioners, above named, are directed to be released on bail in connection with Bakhtiyarpur P.S. Case No. 138 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

IN CR. MISC. NO.8569 OF 2022

Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period



of four weeks from today.

The petitioner seeks bail in connection with Bakhtiyarpur P.S. Case No. 138 of 2021 registered for the offence under Sections 304(B), 201 and 120(B) of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 12.06.2021.

The allegation against the petitioner is to cause death of daughter of the informant along with other co-accused persons for non-fulfillment of demand of dowry.

Learned counsel appearing on behalf of the petitioner submitted that both the petitioner is uncle/in-law of the husband of deceased and are living separately, much prior to the occurrence, having no connection with the daily affairs of the family of the deceased. It is also submitted that specific allegation is against husband of the deceased, who found in illicit relations with one Sunita Devi. It is also submitted that allegation as regard to demand of dowry is very much general and omnibus against petitioners, who are man of clean antecedent. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of



tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioners are in-laws of the deceased.

Considering the facts and circumstances as mentioned above, as petitioners are in-laws, where allegation is specific against husband of the deceased clean antecedent coupled with the fact that charge-sheet has already been submitted, let both the petitioners, above named, are directed to be released on bail in connection with Bakhtiyarpur P.S. Case No. 138 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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