

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9467 of 2022

Arising Out of PS. Case No.-30 Year-2021 Thana- DHAMDAHA District- Purnia

1. RAJESH SAH @ RAJENDRA SAH SON OF LATE BATESHWAR SAH
R/O VILLAGE- SHANTINAGAR, WARD NO.2, P.S.- DHAMDAHA,
DISTRICT- PURNEA
2. SUMAN DEVI WIFE OF RAJESH SAH @ RAJENDRA SAH R/O
VILLAGE- SHANTINAGAR, WARD NO.2, P.S.- DHAMDAHA,
DISTRICT- PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan, Advocate
For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 304B and
34 of the Indian Penal Code.

The informant alleges that her daughter was married
to Pawan Sah and out of the wedlock children were born, further
Pawan Sah and the accused persons were demanding dowry and
for non-fulfillment of the same, Pawan also used to abuse and
assault the deceased, it is next alleged that for non-fulfillment of
the dowdy demand, the present occurrence took place in which
the daughter of the informant was killed.



Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the present case, they are elder brother-in-law and sister-in-law of the deceased and the marriage was nearly seven years old, it is next submitted that the date of occurrence is 08.01.2021 and immediately thereafter on 09.01.2021, a U.D. case came to be instituted. Learned counsel further submits that it absolutely does not stand to reason that when the informant was aware that his daughter has died then why no F.I.R. came to be instituted promptly it was only after more than one month of the occurrence that the present F.I.R. came to be implicated when earlier a U.D. case was instituted as aforesaid, it is next submitted that petitioners are separate in mess and property from the husband of the deceased and the allegation also appears to be general and omnibus in nature.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Dhamdaha P.S. Case No. 30 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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