

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50241 of 2021

Arising Out of PS. Case No.-240 Year-2021 Thana- SAHARSA SADAR District- Saharsa

1. RAMASHRAY SAH S/o LATE RAJENDRA SAH R/o VILLAGE-BHINDUA, P.S-KUSHESHWAR ASTHAN, DISTRICT-DARBHANGA.
2. SUNITA DEVI W/o RAMASHRAY SAH R/o VILLAGE-BHINDUA, P.S-KUSHESHWAR ASTHAN, DISTRICT-DARBHANGA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-03-2022 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Saharsa Sadar P.S. Case No. 240/2021, registered for the offence punishable under Sections 302 and 304(B) of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein having killed the deceased victim lady on account of non-fulfillment of the demand for dowry.

The learned counsel for the petitioners has



submitted that the petitioners are innocent, they have been falsely implicated in the present case, they are having clean antecedent and they are languishing in custody since 14.3.2021. The learned counsel for the petitioners has further submitted that the petitioners are the father-in-law and mother-in-law of the deceased victim lady and as far as the husband is concerned, who might be the main accused person, is already in custody. It is further submitted that as far as the accused persons are concerned especially the petitioners herein, a general and omnibus allegation has been levelled.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled against the petitioners herein and



moreover, the husband of the deceased victim lady, who is stated to be the main accused person, is already in custody, this Court finds that no prejudice would be caused to the prosecution, in case, the petitioners are enlarged on bail, hence, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on 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 learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 240/2021.

(Mohit Kumar Shah, J)

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