

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1703 of 2022**

Arising Out of PS. Case No.-219 Year-2021 Thana- CHIRAIYA District- East Champaran

1. Bhola Sah, Son Of Late Chanerdeo Sah Resident Of Village- Kathmaliya, P.S.- Chiraiya (sikarganj), District- East Champaran.
2. Sanjay Sah Son Of Late Pancham Sah Resident Of Village- Basman, P.S.- Chatauni, District- East Champaran.
3. Pramila Devi W/O Sanjay Sah Resident Of Village- Bhadkoiya, Ward No.06, P.S.- Barauli, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Singh  
For the Opposite Party/s : Mr. Abhay Kumar Roy

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

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

The petitioner no.1 is father-in-law of the deceased, petitioner no.2 is maternal father-in-law of the deceased and petitioner no.3 is the wife of petitioner no.2 seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 304(B) and 201/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that his granddaughter Rambha Kumari was



married to Arjun Kumar on 28.04.2021, though committed cruelty after marriage for non-fulfilment of the demand of dowry. It is next alleged that on 02.08.2021, the accused persons including the petitioners killed his granddaughter and burnt her dead body.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is next submitted that the allegations are general and omnibus in nature. The informant is not an eye witness to the occurrence. It is further submitted that all the deaths within seven years of marriage are not dowry death. It is also submitted that the husband of the deceased was taken into custody and he was acquitted in a duly constituted trial by judgment dated 24.05.2022 passed by 21<sup>st</sup> Additional Sessions Judge, East Champaran at Motihari in Sessions Trial No.93 of 2022.

The learned counsel next submits that though the husband of the deceased has been acquitted, but the petitioners were availing their remedies available in law much prior to the order of acquittal.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

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, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Chiraiya P. S. Case No.219 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

**(Satyavrat Verma, J)**

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