

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9838 of 2020

Arising Out of PS. Case No.-143 Year-2019 Thana- DEHRI TOWN District- Rohtas

1. Lal Mohar Sah Son Of Chhathu Sah Resident Of Village- Khuriya, P.S. Shiv Nagar, District - Rohtas, Presently Resident Of Triloki Nagar, P.S. - Dehri (Dalmia Nagar), District - Rothas.
2. Usha Devi Wife Of Lal Mohar Sah Resident Of Village- Khuriya, P.S. Shiv Nagar, District - Rohtas, Presently Resident Of Triloki Nagar, P.S. - Dehri (Dalmia Nagar), District - Rothas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 30-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Dehri (Dalmia Nagar) P.S. Case No. 143 of 2019 instituted under Sections 302, 120(b)/34 of the Indian Penal Code.

3. As per the prosecution case, the marriage of daughter of informant with Motilal Sah was solemnised before twenty years. The allegation is that Motilal Sah had illicit relationship with his sister-in-law (*Bhabhi*), due to which he used to torture her in various ways. Later on, the informant's daughter came to know that her husband wanted to remarry but



on protest, he could not succeed in his re-marriage and thereafter, the informant came to know on 05.03.2019 that her daughter had been killed.

4. Learned counsel for the petitioners submits that petitioners are brother-in-law and sister-in-law of the deceased and they had no concern with the affair of deceased and her husband but they have falsely been implicated in this case. He further submits that similarly situated co-accused, namely, Chhathu Sah and Tetara Devi @ Terari Devi father-in-law and mother-in-law respectively have been granted anticipatory bail by Coordinate Bench of this Court vide order dated 26.06.2020 in Criminal Miscellaneous No. 82228 of 2019. He also submits that husband of the deceased Motilal Sah has already been acquitted in Sessions Trial No. 433 of 2019 vide judgment dated 06.12.2022. Petitioners have no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties



of the like amount to each to the satisfaction of the learned
S.D.J.M., Dehri (Rohtas) in connection with Dehri (Dalmia
Nagar) P.S. Case No. 143 of 2019, subject to the conditions laid
down in Section 438(2) of the Code of Criminal Procedure,
1973.

(Sunil Dutta Mishra, J)

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