

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8810 of 2024

Arising Out of PS. Case No.-20 Year-2023 Thana- PUWAKHALI District- Kishanganj

1. Nasir @ Nasid Son of Kachalu R/O-Dhadhibhitta, P.S.-Powakhali, Distt.-Kishanganj
2. Nahid Son of Kachalu R/O-Dhadhibhitta, P.S.-Powakhali, Distt.-Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 2 20-02-2024 1. Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.
2. The accused/petitioners are named in F.I.R. and apprehending their arrest in connection with Powakhali P.S. Case No. 20 of 2023, registered for the offences punishable under Sections 304(B), 302 and 120(B)/34 of the Indian Penal Code.
3. The allegation against above named petitioners is to cause death of daughter of informant alongwith other co-accused persons/family members due to non-fulfillment of demand of dowry as raised for two lakhs.
4. Learned counsel appearing on behalf of the



petitioners submitted that both above named petitioners are brothers-in-law, living separately much prior to the occurrence and having no connection/control with daily and domestic affairs of the deceased family. It is further submitted that similarly situated co-accused persons have been granted bail by one of the learned Co-ordinate Benches of this Court through Cr. Misc. No. 69713 of 2023 vide order dated 07.11.2023. It is also submitted that this is a case of suicide out of family frustration, where nothing can be gathered from the allegation, *prima facie*, as raised against petitioners that their acts are so active or direct, which forced the daughter of informant to commit suicide without leaving no other options. While concluding the argument, it is submitted that petitioners are of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as petitioners are in-laws, living separately having no connection with daily and domestic affairs of the deceased family, accordingly, both above named petitioners, in the event of their arrest or surrender before the learned trial Court, within a period of four weeks of the order, are directed to be released on bail furnishing bail bond of Rs.



10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-I, Kishanganj/concerned Court, where the case is pending in connection with Powakhali P.S. Case No. 20 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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