

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15855 of 2024

Arising Out of PS. Case No.-140 Year-2023 Thana- RAJEPUR District- East Champaran

Yogendra Sah S/o Faguni Sah R/o Village- Rajepur, P.S.- Rajepur, District-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 22-05-2024 Heard learned counsel for the petitioners, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Rajepur P.S. Case No. 140 of 2023 dated 18-06-2023, instituted
for the offence punishable under Sections 304B and 328/34 of
the Indian Penal Code.

3. The informant has alleged killing of his sister at the
matrimonial home on account of non-fulfillment of the dowry
demand by the named accused persons, including the petitioner
by administering her poison. The same is preceded by
allegations of torture and assault by all the in-laws. Marriage is
said to have taken place 12 years prior to the alleged occurrence



dated 17-06-2023.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner is the father in-law of the deceased. It is further stated that only on the basis of suspicion, petitioner has been implicated in this case. It is next submitted that the deceased died due to snake bite during the course of her treatment in S.K.M.C.H., Muzaffarpur. It has further been submitted that Section 304 B of the IPC will not attract against the petitioner because the marriage of the victim was solemnized 12 years before her death. It is further submitted that similarly situated co-accused persons namely, Satyendra Sah, Dinesh Sah, Rani Devi have been granted bail *vide* order dated 29.02.2024 passed by this court in Criminal Miscellaneous No. 72588 of 2023. Lastly, it has been submitted that the petitioner has no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P and learned counsel for the informant vehemently opposed the prayer for bail of the petitioner. Learned counsel for the informant submitted that FSL report has supported the case of prosecution and the husband of the deceased is still absconding.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari in Rajepur P.S. Case No. 140 of 2023.

(Khatim Reza, J)

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