

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 25866 of 2024

Arising Out of PS. Case No.-690 Year-2023 Thana- SASARAM MUFFSIL District- Rohtas

1. Rinki Devi @ Rinki Kumari W/o Ajay Sah R/o Buddy, P.S. - Shivsagar (O.P. Buddy), Distt. - Rohtas at Sasaram, D/o Ramlakhan Sah, r/o vill - Durgapur, P.s. - Sasaram (Muffasil), Distt. - Sasaram (Rohtas)
2. Rubi Kumari D/o Ramlakhan Sah R/o vill - Durgapur, P.s. - sasaram (Muffasil), Distt. - Sasaram (Rohtas)
3. Banarsi Kumar @ Balister Kumar S/o Ramlakahan Sah R/o vill - Durgapur, P.s. - sasaram (Muffasil), Distt. - Sasaram (Rohtas)

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 20-12-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered
for the offence punishable u/s 304(B)/34 of the Indian Penal
Code.

3. Allegation against the petitioners is that they assaulted the
daughter of the informant due to non-fulfillment of dowry.

4. It is submitted by learned counsel for the petitioners that
petitioners are quite innocent and have committed no offence.
They have been falsely implicated in this case. No such
occurrence, in the manner as alleged, has ever taken place.



Petitioners have no criminal antecedent as mentioned in para 3 of the bail application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering that there is no specific overt act against the petitioner no. 2 and petitioner no.2 is unmarried *Nanad*, let the petitioner no.2 be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Sasaram(Muffasil) P.S. Case No.690 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. Considering the fact that there is specific overt act against the petitioner nos. 1 and 3, I am not inclined to enlarge the petitioner nos.1 and 3 on anticipatory bail. The prayer for grant of bail on their behalf is hereby rejected.

8. However, if the petitioner nos.1 and 3 surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced



by this order.

9. This application is accordingly partly allowed.

(Anjani Kumar Sharan, J)

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