

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33839 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- SUGAULI District- East Champaran

1. Satish Jha @ Satish Kumar Jha Son Of Vinod Jha Resident Of Village- Amwa Tola, Telhara Kala, P.O.- Telhara, Kala, P.S.- Kundwa Chainpur, Dist East Champaran
2. Monu Jha @ Mona Kumari Wife Of Satish Kumar Jha Resident Of Village- Amwa Tola, Telhara Kala, P.O.- Telhara, Kala, P.S.- Kundwa Chainpur, Dist- East Champaran
3. Sindhu Mishra @ Sindu Mishra Wife Of Surendra Mishra Village- Suagao, Ward No. 10, P.O.- Sugao, P.S.- Sugauli, Dist- East Champaran
4. Sonu Choudhari Son Of Surendra Mishra Village- Suagao, Ward No. 10, P.O.- Sugao, P.S.- Sugauli, Dist- East Champaran
5. Chandan Kumar @ Ujjawal @ Ujjawal Kumar Son Of Yatindra Chaudhary Raghunathpur, P.O.- Raghunathpur, Ward No. 09, P.S.- Turkauliya, Dist- East Champaran
6. Yatendra Chaudhary @ Yatindra Chaudhary Son Of Baidyanath Chaudhary Raghunathpur, P.O.- Raghunathpur, Ward No. 09, P.S.- Turkauliya, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pravin Kumar, Advocate
For the Opposite Party/s	:	Mr. Ahmad Ali, Advocate
For the State	:	Shri Bhandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 04-10-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State, Shri Chandra Bhushan Prasad.

2. The S.H.O. and the Investigating Officer of the case in compliance of the order dated 30.09.2024 are present in the Court.



3. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302, 201, 120(B)/34 of the Indian Penal Code.

4. The learned counsel for the petitioners after arguing vehemently for some time realising his difficulty seeks permission to withdraw the anticipatory bail application with respect to petitioner no.3, Sindhu Mishra.

5. Permission is accorded.

6. It is next submitted by learned counsel for the petitioners that petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant based on suspicion. It is further submitted that the informant alleges that his daughter was married to Ritesh in the year 2016 and after marriage, the accused persons along with the petitioners were demanding Rs. 3,00,000/- and a motorcycle by way of dowry and for non-fulfillment of the demand, the deceased was tortured. Further, on 15.01.2024, the daughter of the informant was killed and her body was cremated.

7. Learned counsel submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that the daughter of the informant was married to Ritesh in the year 2016 and in between 2016, till December, 2023, no case was



instituted either by the deceased or by the informant alleging about torture at the hands of the accused persons including the petitioners. It is next submitted that the petitioner nos. 1 and 5 are nephew of the husband of the deceased wife, petitioner nos. 2 and 4 are married *nanad* and petitioner no.6 is husband of another sister of the husband of the deceased. It is also submitted that whenever any dispute arises in between the husband and the wife and occurrence of the nature as alleged takes place, the entire family members are implicated in a mechanical manner with general, omnibus and ornamental allegation.

8. Learned APP for the State opposes the prayer for anticipatory bail.

9. Having regard to the facts and circumstances of the case, let the above named petitioners, except the petitioner no.3, Sindhu Mishra, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each 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 Sugauli P.S. Case No. 28 of 2024, subject to the conditions as laid down



under Section 438(2) of the Cr.P.C.

10. The personal appearance of the S.H.O. and the Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

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