

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39796 of 2024**

Arising Out of PS. Case No.-155 Year-2024 Thana- MADHEPURA District- Madhepura

1. Naresh Kumar S/O Subhash Sah R/O Village- Bhirkhi, Ward No.-25, Tuniyahi, P.S- Madhepura, Distt.- Madhepura.
2. Subhash Sah S/O Gujo Sah R/O Village- Bhirkhi, Ward No. 25, Tuniyahi, P.S- Madhepura, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashwani Kumar Tiwary, Advocate  
For the Opposite Party/s : Mr. Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

ORAL ORDER

4      22-10-2024      Heard learned counsel for the petitioners and Mr. Choubey Jawahar, learned APP for the State. Perused the case diary.

2.      The petitioners seek bail in connection with Madhepura P.S. Case No. 155 of 2024 instituted for the offence under Sections 304B, 34 of the Indian Penal Code.

3.      Prosecution case in short is that sister of the informant was done to death at her matrimonial house due to non-fulfillment for the demand of dowry by her in-laws.

4.      It has been submitted on behalf of the petitioners that the petitioners are in custody since 20-02-2024. Petitioners bear no criminal antecedent.



5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Petitioner No. 1 is the husband of the deceased whereas petitioner No.2 is the father-in-law of the deceased. There is no specific allegation alleged against the petitioners. Allegation is general and omnibus in nature. It is submitted that in fact the deceased was high-temperament lady and she has committed suicide by hanging herself. Even postmortem report suggests the cause of death to be asphyxia due to ligature strangulation.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Referring to paragraph No. 45 of the case diary, it is submitted that police has found case true against the petitioners under Section 304B/34 of the IPC.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, clean antecedent of the petitioners, there being no cogent material against the petitioners and charge sheet being submitted, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each



with two sureties of the like amount each to the satisfaction  
of Court below/concerned Court in connection with  
Madhepura P.S. Case No. 155 of 2024.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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