

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40168 of 2024

Arising Out of PS. Case No.-561 Year-2023 Thana- JOGAPATTI District- West Champaran

1. Birendra Sharma S/O- Vishwanath Sharma R/O Village Piparapati, PS Nawalpur, Dist.-West Champaran
2. Sampato Devi W/O- Birendra Sharma R/O Village Piparapati, PS Nawalpur, Dist.-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 42082 of 2024

Arising Out of PS. Case No.-561 Year-2023 Thana- JOGAPATTI District- West Champaran

1. Pintu Sharma S/O Birendra Sharma R/O Village Piparpati, P.S. - Nawalpur, Distt West Champaran
2. Pappu Sharma S/O Birendra Sharma R/O Village Piparpati, P.S. - Nawalpur, Distt West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 40168 of 2024)

For the Petitioner/s : Mr. Deovind Kumar Singh, Adv.

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

(In CRIMINAL MISCELLANEOUS No. 42082 of 2024)

For the Petitioner/s : Mr. Deovind Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-08-2024

Re: Criminal Miscellaneous No.40168 of 2024

Heard learned counsel for the petitioners and learned
counsel for the State.

2. The petitioners apprehend their arrest in connection



with Yogapatti (Nawalpur) P.S. Case No. 561 of 2023 registered under Sections 304(B) and 201/34 of the Indian Penal Code.

3. It is the case of dowry death.

4. As per prosecution case, informant solemnized the marriage of his daughter with co-accused Ramanand Sharma in the year 2023 with Hindu Rituals. After marriage, the husband and in laws of informant's daughter started demanding dowry and due to non-fulfillment of the same, she was tortured and ill treated. It is further alleged that on 24.12.2023, all the F.I.R. named accused persons including these petitioners killed the daughter of informant for dowry.

5. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case only on suspicion. Further submission is that petitioners are father-in-law and mother-in-law of the deceased respectively. They are separate in mess and property. Allegation is general and omnibus. Thrust of accusation is against husband of the deceased who is already under custody. Petitioners have got no criminal antecedent.

6. Learned A.P.P. for the State opposed the prayer for bail.

7. Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the



event of 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 Chief Judicial Magistrate, Bettiah, West Champaran in connection with Yogapatti (Nawalpur) P.S. Case No. 561 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

Re: Criminal Miscellaneous No.42082 of 2024

8. Heard learned counsel for the petitioners and learned counsel for the State.

9. The petitioners apprehend their arrest in connection with Yogapatti (Nawalpur) P.S. Case No. 561 of 2023 registered under Sections 304(B) and 201/34 of the Indian Penal Code.

10. It is the case of dowry death.

11. As per prosecution case, informant solemnized the marriage of his daughter with co-accused Ramanand Sharma in the year 2023 with Hindu Rituals. After marriage, the husband and in laws of informant's daughter started demanding dowry and due to non-fulfillment of the same, she was tortured and ill treated. It is further alleged that on 24.12.2023, all the F.I.R. named accused persons including these petitioners killed the daughter of informant for dowry.



12. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and are victims of over-implication. Further submission is that petitioners are *Bhaisur* and *Devar* of the deceased respectively. They are separate in mess and property. Allegation is general and omnibus. Thrust of accusation is against husband of the deceased who is already under custody. Petitioners have got no criminal antecedent.

13. Learned A.P.P. appearing on behalf of the State opposed the prayer for bail.

14. Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of 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 Chief Judicial Magistrate, Bettiah, West Champaran in connection with Yogapatti (Nawalpur) P.S. Case No. 561 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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