

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67724 of 2023

Arising Out of PS. Case No.-226 Year-2023 Thana- MAHUA District- Vaishali

1. Mahesh Jha, S/O Ram Bilas Jha, Village Bishnupur Bejha, Ps Mahua, District Vaishali
2. Pramila Devi, W/O Mahesh Jha, Village Bishnupur Bejha, Ps Mahua, District Vaishali
3. Nitish Kumar, S/O Mahesh Jha, Village Bishnupur Bejha, Ps Mahua, District Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachina, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioners and learned
APP for the State,

2. In this present case, the petitioners are apprehending their arrest in connection with Mahua P.S. Case No. 226 of 2023, registered for the offences under Sections 302, 201, 120(B)/34 of the Indian Penal Code.

3. As per prosecution case, sister of the informant was killed by the petitioners and other co-accused persons on account of non-fulfillment of dowry demand. They also disposed of the dead body of the sister of the informant.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case. Moreover, there is no question of any demand of dowry after 12 years of marriage and there are three sons out of the wedlock of the deceased and her husband. Petitioner nos. 1 and 2 are parents-in-law and petitioner no.3 is brother-in-law of the deceased, respectively and they all lived separately from the deceased and her husband. It is an out and out case of false implication. Learned counsel further submits that the husband of the deceased is already in custody. The informant also participated in the last rites of the deceased. The petitioners have got no criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioners are stated to be in-laws and allegations are general, vague and non-specific against the petitioners and also considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of



the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali/concerned court in connection with Mahua P.S. Case No. 226 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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