

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76777 of 2024

Arising Out of PS. Case No.-339 Year-2023 Thana- KARAHGAR District- Rohtas

-
1. Om Prakash Singh S/O Banarsi Singh Resident of Village- Garbhe, P.S. - Kargahar, District- Rohtas
 2. Banarsi Singh S/O Late Jay Prasad Singh Resident of Village- Garbhe, P.S. - Kargahar, District- Rohtas
 3. Basmati Devi W/O Banarsi Singh Resident of Village- Garbhe, P.S. - Kargahar, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-11-2024 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 302, 201/34 of the IPC.

3. Allegation against the petitioners is that they have killed
the daughter of the informant due to non-fulfillment of demand
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 due to ulterior
motive. No such occurrence, in the manner as alleged, has ever



taken place. The allegation leveled against the petitioners is general and omnibus. Petitioner no. 1 is the husband of the deceased and petitioner nos. 2 and 3 are the in-laws of the deceased. It is submitted that deceased (wife of petitioner no. 1) died due to illness and this information was given to the father of the deceased but the father of the deceased was not present during the cremation of the deceased. All the villagers were present. Petitioners have clean antecedent.

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

6. Having regard to the facts and circumstances of the case, considering that petitioner nos. 2 and 3 are in-laws of the deceased and are of old age, let the above named petitioner nos. 2 and 3, 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 bond of Rs. 25,000/- (Rupees Twenty Five 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 Kargahar P.S. Case No.339 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. Considering the nature of allegation and the fact that petitioner no. 1 is the husband of the deceased, I am not inclined



to enlarge the petitioner no.1 on anticipatory bail. The prayer for grant of bail on his behalf is hereby rejected.

8. This application is accordingly partly allowed.

(Anjani Kumar Sharan, J)

priyanka/-

U		T	
---	--	---	--

