

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79688 of 2024**

Arising Out of PS. Case No.-70 Year-2024 Thana- BIHRA District- Saharsa

KUNDAN KUMAR SAH S/o- SINGHESHWAR SAH Village- Bihra Ps-
Bihra Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

2 13-11-2024 Heard Mr. Diwakar Prasad Singh, learned counsel for
the petitioner and Mrs. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with Bihra
P.S. Case No. 70 of 2024 instituted for the offences under
Sections 304B, 120B of the Indian Penal Code.

3. Prosecution case, in short, is that the petitioner
alongwith the family members tortured and killed the deceased
for the non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Petitioner is the *devar* of the deceased. Learned counsel for the petitioner submits that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that petitioner is separate in mess and business and has got no concern in the family affairs of the deceased and her husband. Husband of the deceased is already in custody. Learned counsel further submitted that the entire allegation against the petitioner is false and concocted and further contended that deceased herself committed suicide. It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.05.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, husband of the deceased being in custody, as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bihra P.S. Case No.



70 of 2024.

(Rudra Prakash Mishra, J)

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