

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82605 of 2024

Arising Out of PS. Case No.-221 Year-2024 Thana- BANJARIA District- East Champaran

Sudama Sah S/o- Basant Sah Village-Budwa @ Burhwa Ps- Banjariya Dist-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar II, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Banjariya P.S. Case No. 221 of 2024 instituted for the offences
under Sections 80, 238, 3(5), 61(2) of the Bharatiya Nyaya
Sanhita, 2023.

3. Prosecution case, in short, is that the accused
persons tortured and killed the deceased for the non-fulfillment
of demand of dowry and this petitioner assisted the accused



persons in cremating the dead body of the deceased.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submits no specific overt act or demand of dowry or torturing the deceased is alleged against the petitioner. Learned counsel further submitted that petitioner is co-villager and is separate in mess and business and has got no concern in the family affairs of the deceased and her husband. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.08.2024 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, there is no specific allegation against the petitioner coupled with the fact that petitioner is the co-villager of the accused persons and has got no concern with the family affairs of the informant, 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 Banjariya P.S. Case
No. 221 of 2024.

Alok Verma/-
(Rudra Prakash Mishra, J)

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