

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85958 of 2023

Arising Out of PS. Case No.-291 Year-2023 Thana- NAWANAGAR District- Buxar

1. Baijnath Kanu @ Baijnath Sah, son of Late Mahesh Kanu, R/O village- Usra, P.S- Nawanagar sonvarsha, Dist- Buxar
2. Usha Devi, wife of Baijnath Kanu @ Baijnath Sah, R/O village- Usra, P.S- Nawanagar sonvarsha, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Maruti Kumari, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-01-2024 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 Nawanagar (Sonvarsha O.P.) P.S. Case No. 291 of 2023, registered on 25.07.2023 for the offences under Sections 304(B)/34 of the Indian Penal Code.

3. As per prosecution case, the daughter of the informant was married with co-accused Raju Sah, the son of the petitioners and allegation against the petitioners is that they along with co-accused used to demand motorcycle, gold chain and a cow in dowry and used to torture her. Lastly, the daughter



of the informant was hanged.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. No occurrence as alleged has ever taken place. Petitioners are the old parents-in-law of the deceased and they have been living separately from the deceased and her husband. The petitioners have no concern with the family of co-accused Raju Sah, their son. The marriage was solemnized six years back and there were two children from this marriage and the allegation of demand of motorcycle, gold chain or cow is not believable. The Mukhiya of the village of the petitioners gave a certificate that the husband of the deceased separated from the petitioners just two years after their marriage. Petitioners are having clean 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 non-specific nature of allegation coupled with 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. 20,000/- (Rupees Twenty thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar/concerned court in connection with Nawanagar Sonvarsha P.S. Case No. 291 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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