

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4304 of 2025

Arising Out of PS. Case No.-282 Year-2023 Thana- WARISNAGAR District- Samastipur

Batahu Sah @ Bathu Sah, S/o Panchu Sah, R/o Village- Ratanpur, P.S.-
Warisnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Singh, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-01-2025 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In the present case, the petitioner seeks bail in connection with Warisnagar P.S. Case No. 282 of 2023 registered for the alleged offences under Sections 304(B)/201 of the Indian Penal Code.

3. As per the prosecution case, dowry death of the daughter of the informant was committed by the petitioner and other co-accused persons and the dead body was thrown near the railway track.

04. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is the father-in-law of the deceased. There is general and omnibus allegation allegation of demand of dowry



against all the family members. Moreover, there is no specific allegation against him either for demand of dowry or for committing murder of daughter of the informant. The petitioner is separate in mess from his sons, as such, question of demand of dowry and torture against the petitioner is absolutely false and baseless. The learned counsel further submits that the railway authorities gave information to the police that a lady came under a running train and sustained injuries. At that point of time, the victim was alive and she was taken to hospital for treatment. However, on way to hospital, she died. On the alleged date of occurrence, the victim was not present at her matrimonial home, rather she was residing in her parental home and due to some family dispute, she committed suicide. In fact, the informant and her entire family including the deceased were persons of criminal antecedent and they were made accused in Warisnagar P.S. Case No.351/2022 for the offence under Section 392 IPC. The petitioner is in custody since 22.06.2024 and charge sheet has been submitted. The petitioner has got no criminal antecedent.

5. Learned APP for the State opposes the submissions made on behalf of the petitioner. Learned APP submits that there is serious allegation against the petitioner and other co-



accused persons that they caused dowry death of the daughter of the informant.

6. Having regard to the facts and circumstances of the case and submissions made on behalf of the parties and considering the general and vague nature of allegation against the petitioner without any substantive material against him and further considering the relationship of the petitioner with the deceased and further considering the possibility of false implication and also considering the period of custody and submission of charge sheet along with his clean antecedent, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur, in connection with Warisnagar P.S. Case No. 282 of 2023, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive



dates or in violation of the terms of the bail,
the bail bonds of the petitioner will be liable
to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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