

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10030 of 2025

Arising Out of PS. Case No.-859 Year-2022 Thana- NAUBATPUR District- Patna

1. Rahish Kumar @ Rahish Sao S/O Sri Laxman Sao R/O vill. Lakh Naharpar, Musahari, Chhoti Tangralia, Naubatpur, P.S- Naubatpur, Dist.- Patna
2. Laxman Sao S/O Late Pukar Sao @ Bineshwar Rao R/O vill. Lakh Naharpar, Musahari, Chhoti Tangralia, Naubatpur, P.S- Naubatpur, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Renu Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Naubatpur P.S. Case No. 859 of 2022, registered for the offences under Sections 304B/34 of the Indian Penal Code.

3. As per the prosecution case, the daughter of the informant was married with the petitioner no. 1. The allegation against the petitioners and other co-accused persons is that of causing dowry death of the daughter of the informant.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioner no. 1 is husband of the



deceased and petitioner no. 2 is father-in-law of the deceased and they are innocent and have been falsely implicated in this case. Learned counsel further submits that the daughter of the informant died a natural death due to illness. Sudden bouts of pain and vomiting started in the night and she was treated by a local doctor and she died while under treatment. In the postmortem report no unnatural cause has been shown and opinion was kept reserved pending report of tissue for chemical analysis and histopathological examination. Learned counsel further submits that during investigation police recorded the fact that it was a natural death and there was no demand of dowry. Prior to this FIR, no *sanha* was lodged by the informant against the petitioners for extending any threat to kill the daughter of the informant. Learned counsel submits that the co-accused persons have been granted anticipatory and regular bail by this Court vide orders dated 27.02.2024 and 24.06.2023 passed in Cr. Misc. No. 66197 of 2023 and Cr. Misc. No.35200 of 2023, respectively. The petitioners are in custody since 11.09.2024 and have no criminal antecedent. Charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioners. Learned A.P.P. submits that that the marriage was solemnized in the year 2020



and within two years of marriage, the death has occurred and there is allegation of demand of dowry and threat extended on account of the demand.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the lack of materials showing unnatural death and further considering submission of charge sheet and period of custody of the petitioners, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Danapur/concerned court, in connection with Naubatpur P.S. Case No. 859 of 2022, subject to the condition laid down under Section 437(3) 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.

(iii) In case of absence on three consecutive dates or in violation of the



terms of the bail, the bail bond of the
petitioners will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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