

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9299 of 2025

Arising Out of PS. Case No.-27 Year-2024 Thana- BARSOI District- Katihar

Jabuna Kumar Das @ Jabuna Das @ Zubna Das, aged about 23 years, S/O Labuwa Chandra Das, resident of Village- Bighor Deshiya Tola, P.S- Barsoi, (Kachna OP), Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu SN Singh, Advocate
For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 15-05-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Barsoi PS Case No.27 of 2024 dated 23.01.2024, instituted for the offence punishable under Sections 498-A, 376 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

3. The prosecution case, in brief, is that the informant was married with Anshu Kmar Das according to Hindu ritual and subsequently she was blessed with one child. Thereafter, the accused persons started demanding dowry and they used to assault and torture her for non-fulfillment of the same. On the alleged date of occurrence, the informant along with her minor son was sleeping in the room in the night and this petitioner, who was hidden under the bed, came out and committed rape with her and thereafter she was ousted from the house.



4. Learned counsel for the petitioner submits that the FIR has been lodged against all the family members including husband of the complainant. It is apparent from the written complaint that earlier also a complaint case was filed being Complaint Case No.844 of 2023 which was later on compromised between the parties. It is also apparent from the complaint that the husband of the informant was not present at the time of occurrence despite that present case has been filed against him also. Entire family has been implicated in this case. Lastly, it is submitted that petitioner is in custody since 31.07.2024 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the SDJM, Kaithar, in Barsoi PS Case No.27 of 2024.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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