

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6701 of 2025

Arising Out of PS. Case No.-385 Year-2024 Thana- PAHARPUR District- East Champaran

1. Dipak Kumar Das @ Dipak Kumar S/o Sudama Das Resident of village- Bhutaha Naya Gaon, P.S.- Paharpur, Distt.- East Champaran
2. Srimati Devi W/o Sudama Das Resident of village- Bhutaha Naya Gaon, P.S.- Paharpur, Distt.- East Champaran
3. Sudama Das S/o Late Rajeshwar Das Resident of village- Bhutaha Naya Gaon, P.S.- Paharpur, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar
		Ms. Rashmi Jha
For the Opposite Party/s	:	Mr. Arun Kumar Singh- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 02-07-2025 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The learned counsel for the petitioners, at the outset, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.3, Sudama Das, who has been arrested during the pendency of the anticipatory bail application.
3. Permission is accorded.
4. Accordingly, instant petition is dismissed as withdrawn with respect to petitioner no.3, Sudama Das.
5. The petitioner nos.1 and 2 seek bail in anticipation



of their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 80 and 3(5) of the Bharatiya Nyaya Sanhita.

6. The learned counsel for the petitioners submits that the petitioner nos.1 and 2 are persons with clean antecedent. It is next submitted that in sum and substance and the informant alleges that his daughter was married to Saheb Kumar on 27.11.2023. After marriage, the in-laws of the informant started demanding a Swift Dzire Car and on account of non-fulfilment of the demand, the victim was tortured, thereafter, it is alleged that informant brought to his daughter to his house. It is next alleged that on 14.08.2024 at about 8.00 P.M., the informant's son in-law came at the house of the informant and requested for taking the victim and also promised not to commit any cruelty with her, thereafter, the victim went to her matrimonial house. It is next alleged that on 15.08.2024, the brother in-law of the victim called and informed the informant and asked to him to come to his house. Accordingly, informant went to the house of the petitioners and found the dead body of his daughter lying with marks of injury on her neck.

7. The learned counsel for the petitioners submits that petitioners are brother in-law and mother in-law of the deceased.



It is next submitted that informant is not an eye witness to the occurrence. It is also submitted that had the petitioners been involved in the occurrence, in that event, efforts would have been made to conceal the evidence, but then, the dead body was found lying. It is also submitted that whenever any dispute arises in between the husband and the wife and occurrence of the nature as alleged takes place, the entire family members are implicated in a mechanical manner. It is next submitted informant is not eye witness to the occurrence and petitioners would not abscond rather would cooperate in the investigation to prove their innocence.

8. Learned A.P.P. opposes the anticipatory bail application.

9. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-11th, Motihari, East Champaran in connection with Paharpur P. S. Case No.385 of 2024, subject to



the conditions laid down under Section 438(2) of the Cr.P.C.

10. The application stands allowed.

11. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioners, despite giving assurance to this Court, are not cooperating in the investigation or are not presenting themselves as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioners after recording reasons.

12. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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