

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5768 of 2025

Arising Out of PS. Case No.-392 Year-2024 Thana- NAANPUR District- Sitamarhi

Raju Sah @ Raja Babu son of Late Suresh Sah village- Mohini, Ps- Nanpur,
Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Nath Dubey, Advocate
For the State : Mr.Suman Kumari Singh, APP
For the Informant : Mr. Sumit Kumar Jha, Advocate
Ms. Riya Giri, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

2. In this present case, the petitioner seeks bail in connection with Nanpur P.S. Case No. 392 of 2024 registered on 12.08.2024 for the offences under Sections 80 and 3(5) of the B.N.S.

3. As per prosecution case, petitioner was married with daughter of the informant on 11.02.2022. After few months of marriage, the petitioner and other co-accused persons started torturing the daughter of the informant and they have been demanding motorcycle in dowry. Subsequently, on 11.08.2024, the informant received information about death of his daughter in her matrimonial home and when the informant reached there,



the petitioner and his family members were absconding and police was present there.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. The petitioner or his family members never demanded any dowry and never subjected the deceased to any torture or cruelty. In fact, the deceased was mentally ill prior to her marriage and concealing this fact, her marriage was solemnized. Deceased was being treated at Sitamarhi and subsequently at Patna and while undergoing treatment, under her mental ailment, the daughter of the informant committed suicide. The post-mortem report does not show any external injury or any burn mark. The opinion about cause of death was given as due to asphyxia leading to C.R. failure as a result of hanging produced by rope like substance. This also shows the daughter of the informant committed suicide. Petitioner is in custody since 13.08.2024 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned A.P.P. as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the



informant submits that from the FIR, it is apparent that the daughter of the informant was variously tortured. She was also five months pregnant when she was killed. Learned counsel further submits that the deceased was not having mental illness prior to her death and due to torture and cruelty inflicted upon by the petitioner and his family, she became mentally ill.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the absence of any injury as alleged in the FIR and further considering the possibility of suicide and also considering the clean antecedent of the petitioner coupled with his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Pupari, Sitamarhi/concerned court in connection with Nanpur P.S. Case No. 392 of 2024, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other 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 bond of the
petitioner will be liable to be cancelled by
the court concerned.

(Arun Kumar Jha, J)

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