

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6606 of 2025

Arising Out of PS. Case No.-166 Year-2024 Thana- SAHPUR District- Patna

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1. Jitu Rai, S/O Hari Rai, R/O Village- Sikandarpur, Bandh, Police Station- Shahpur, District- Patna
 2. Jitendra Rai, S/O Hari Rai, R/O Village- Sikandarpur, Bandh, Police Station- Shahpur, District- Patna
 3. Brajesh Rai @ Brijesh Rai, S/O Hari Rai, R/O Village- Sikandarpur, Bandh, Police Station- Shahpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunit Kumar Srivastava, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 31-01-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Shahpur P.S. Case No. 166 of 2024 registered for the offences punishable under Sections 498(A), 328 and 302/34 of the Indian Penal Code.

3. Allegedly the marriage of the daughter of the informant was solemnized with the son of the co-accused Hari Rai twelve years ago. Soon after the marriage, there was demand of dowry and on account of non-fulfillment of the same, the victim was subjected to torture and lastly administered poison on 01.05.2024. It is further alleged that the deceased was



taken to Kusum Hospital, Saguna More and from there she was referred to Indira Hospital, where she died.

4. Learned Advocate for the petitioners contended that the petitioners are non-else, but the brother-in-law of the deceased, have been residing separately, and they have no concern with the day-to-day affairs of the deceased and her family. It is further contended that even the narrations made in the F.I.R. clearly suggests that the deceased on account of some dispute consumed poison and thereafter the accused persons took her to the hospital for treatment, but unfortunately she died during the course of treatment. It is further contended that the deceased in course of time had blessed with three children and all of them were living happily. On the fateful day, on account of consumption of some spurious medicine, her health started getting deteriorated and later on she died during the course of treatment. Having come to know about the entire facts from the children of the deceased, the informant had also filed a petition before the jurisdictional court showing no complicity of the accused persons. It is lastly contended that the father-in-law and mother-in-law of the deceased have already been accorded the privilege of anticipatory bail in Cr. Misc. No.89316 of 2024 vide order dated 08.01.2025.



5. On the other hand, learned APP for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the marriage was solemnized twelve years ago and the petitioners are non-else, but the brothers-in-law of the deceased, who have been residing separately, coupled with the fact that other co-accused persons, having identical allegation, have been allowed privilege of anticipatory bail, let the petitioners, above named, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Danapur in connection with Shahpur P.S. Case No. 166 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C., with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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