

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11611 of 2025**

Arising Out of PS. Case No.-151 Year-2024 Thana- GWALPARA District- Madhepura

1. Md. Jannat Sah S/o Md. Kudus Sah R/o Village- Resna, Ward No. 03, P.S.- Gwalpara, Distt.- Madhepura.
2. Md. Kurban Sah @ Md. Kurban S/o Md. Jannat Sah R/o Village- Resna, Ward No. 03, P.S.- Gwalpara, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

4      19-06-2025                      Heard Mr. Uday Chand Prasad, the learned counsel appearing on behalf of the petitioners and Mr. Permanand Prasad, the learned Additional Public Prosecutor for the State.

2. The petitioners seek bail in a case registered for the offences punishable under Sections 304B, 498A, 34 of the Indian Penal Code and  $\frac{3}{4}$  of Dowry Prohibition Act. Petitioner has clean antecedent.

3. As per the prosecution case, the informant has stated that initially he got an information that one Rehana Khatoon had committed suicide and was found hanging with the help of her *dupatta* in the night of 02.06.2024 as per the written report of the brother of the deceased and as such U.D. Case No.



01 of 2024 was registered on 18.06.2024. It is further alleged that after postmortem, the cause of death was found to be Cardiopulmonary arrest due to asphyxia caused by manual strangulation and as such the present FIR was lodged against the husband and the other in-laws including the petitioners stating therein that the sister of the deceased was subjected to cruelty for non-fulfillment of dowry and was killed within 20 days of her marriage.

4. The learned counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. It has further been submitted that the daughter-in-law of Petitioner No. 1 had committed suicide and it was wrong to say that she had been killed. It has next been submitted that the petitioners had nothing to do with the internal affairs of the son of Petitioner No.1 as they live separately. It has lastly been submitted that the petitioners being the father-in-law and *Bhaisur* of the deceased are in custody since 22.08.2024 and they have clean antecedent.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail and has stated that that the daughter-in-law of Petitioner No.1 was killed by strangulation and the petitioners being the in-laws were equally



responsible for the same.

6. Considering the aforesaid facts and circumstance and taking into account that petitioners are father-in-law and brother-in-law (*Bhaisur*), I am inclined to grant the petitioners privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection Gwalpara P.S. Case No. 151 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioners shall be his/her close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two 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.

(iv) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage



it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Sourendra Pandey, J)**

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