

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12920 of 2025

Arising Out of PS. Case No.-383 Year-2024 Thana- BIHTA District- Patna

1. Chhotan Rai, S/O Late Rambali Rai, R/O Vill.- Lekhantola, P.S.- Bihta, Dist.- Patna
2. Usha Devi, W/O Chhotan Rai, R/O Vill.- Lekhantola, P.S.- Bihta, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Mohan, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 28-02-2025 Heard Mr. Madan Mohan, learned counsel for the petitioner and Ms. Sharda Kumari, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Bihta P.S. Case No. 383 of 2024 instituted for the offence under Sections 304(B) and 201 read with Section 34 of the IPC and under Sections 3 & 4 of the Dowry Prohibition Act.

3. The case of the prosecution is that sister of the informant, Sony Kumari was married to one Dheeraj Kumar on 23.04.2022. It is further stated that Dheeraj Kumar and his family members were demanding Rs.10 Lakhs and one 'Katha'



of land. When the informant and his family members denied to pay the same, his sister was killed and her dead body was concealed. The informant came to know about this from one Pritam Kumar. The informant along with family members went to the matrimonial house of the deceased. It is further alleged that all the family members including these petitioners had killed the sister of the informant.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have falsely been implicated in this case. During course of argument, learned counsel for the petitioners submits that the petitioners are father-in-law and mother-in-law of the deceased. The petitioners are living separately and they have no involvement in the alleged offence. It is further submitted that there is no specific allegation against the petitioners about demand of dowry or cruelty to the deceased by the petitioners before her death. There is no eye-witness of the alleged offence. The petitioners have been made accused only being the father-in-law and mother-in-law of the deceased.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in



the fact that the petitioners are father-in-law and mother-in-law of the deceased, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Bihta P.S. Case No. 383 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each of them with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- 1st, Danapur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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