

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21918 of 2025

Arising Out of PS. Case No.-481 Year-2024 Thana- MAHNAR District- Vaishali

Brij Kishore Singh @ Digvijay Singh @ Thakur Digvijay Narayan Singh S/O
Late Raghav Bihari Singh Resident of village- Phatikwara, PS- Mahnar,
District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shanker Singh, Advocate
For the State : Mr. Md. Aslam Ansari, A.P.P.
For the Informant : Mr. Rakesh Prabhat, Advocate

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-04-2025 Learned counsel for the petitioner has filed surrender
certificate. Let it be kept on record.

2. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the Informant.

3. The petitioner seeks bail in connection with
Mahnar P.S. Case No. 481 of 2024 registered for the offences
punishable under Sections 103, 3(5) of BNS.

4. As per prosecution case, petitioner and others are
said to have committed the murder of informant's daughter for
non fulfillment of demand of dowry.

5. Learned counsel for the petitioner submits that
petitioner is quite innocent and has committed no offence as
alleged in the FIR. He further submits that petitioner being the



father-in-law of the deceased, has falsely been implicated in the present case. He further submits that no specific overt-act is attributed against the petitioner. He further submits that information of death of the deceased was given to both i.e. the police and the parents. Thereafter, the dead body was taken for postmortem and inquest was prepared by the police on 25.12.2024. Petitioner has no role to play. Learned counsel orally submits that petitioner has no say in the family affairs of the deceased. He further submits that alleged occurrence took place after eight years of marriage as well as birth of two children aged about seven and five years and as such the allegation against the petitioner is false and frivolous. Learned counsel has also orally submits that co-accused namely Rajesh Anand (husband of the deceased) has already surrendered before Judicial Magistrate First Class, Vaishali, Hajipur on 16.04.2025. Petitioner is in custody since 27.12.2024 and he bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

6. The learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the prayer for bail of the petitioner by submitting that petitioner is



one of the person who is said to have participated in the alleged occurrence which cannot be denied. Hence, he does not deserve bail.

7. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Vaishali at Hajipur in connection with Mahnar P.S. Case No. 481 of 2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or



the witnesses, in that case, the prosecution will be at liberty to
move for cancellation of bail.

(Alok Kumar Pandey, J)

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