

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27127 of 2025

Arising Out of PS. Case No.-1104 Year-2024 Thana- MADHEPURA District- Madhepura

Sanoj Sah S/o- Ramanand Sah Resident of village- Balam PS- Madhepura
District-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Madhepura P.S. Case No. 1104 of 2024 registered for the alleged offences under Sections 103(1), 123 of B.N.S.

3. As per prosecution case, the wife of the petitioner died in her matrimonial home and allegation against the petitioner is that he used to demand dowry and further used to assault his wife. Lastly, the petitioner and other co-accused persons administered her poison causing death.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The marriage of the petitioner was solemnized with the



deceased in the year 2012 and the occurrence is stated to be of 20.09.2024. After 12 years of marriage, the allegation of demanding dowry is not believable. Further, there is no complaint with regard to any assault or torture prior to her death. The wife of the petitioner was suffering from some abdominal problem and was under treatment. In the night of occurrence she was brought to Christian Hospital, Madhepura by the petitioner and his family members where she unfortunately died during the course of treatment. The prosecution story is not supported by the postmortem report as no external injury was found on any part of the body. The cause of death was not given in the postmortem report and the opinion was reserved. Learned counsel further submits that the family members of the deceased including the informant participated in the cremation of the deceased but it appears that due to ulterior motive, the informant has lodged this case. Learned counsel further submits that the petitioner is a poor person and daily wage earner and has three children to look after. Co-accused persons have been granted bail by the learned trial court. The petitioner is in custody since 25.09.2024 and charge sheet has been submitted. The petitioner is having clean antecedent.



5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the informant has alleged that his sister was killed by the petitioner and others for non-fulfillment of dowry demand.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the time elapsed since the date of marriage till death, and further considering the clean antecedent of the petitioner, 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura/concerned Court in connection with Madhepura P.S. Case No. 1104 of 2024, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the 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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