

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27855 of 2025

Arising Out of PS. Case No.-101 Year-2025 Thana- MOHANIYA District- Kaimur (Bhabua)

1. Om Prakash Singh, S/o Rambahar Singh,
 2. Rinki Devi, W/o Om Prakash Singh
- Both are residents of village- Bhopatpur, P.S.- Mohania, District- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar Pathak, Advocate
For the State	:	Mr.Abhay Kumar, APP
For the Informant	:	Mr. Uday Pratap Singh, Advocate
		Mr. Raju Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

2. In the present case, the petitioners seek bail in connection with Mohania P.S. Case No. 101 of 2025, registered for the offences under Sections 108/103(i), 3 (5) of BNS, 2023.

3. As per the prosecution case, marriage of the daughter of the informant was solemnized with co-accused Rohit Kumar and the allegation against the petitioners, who are the brother and sister-in-law of co-accused husband, and other co-accused persons is that they killed her on account of non-fulfillment of demand of a motorcycle in dowry.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have been falsely implicated in this case. The informant is not the eye witness to the occurrence and no one has seen the occurrence. From the FIR, it is apparent that the informant reached the house of the deceased on 13.02.2025 but did not lodge any FIR on the same day. Rather the informant put his signature on the seizure list prepared by the police. In the suicidal note, the deceased daughter of the informant has not made any allegation against the petitioners, rather she had made allegation against her husband and her father before committing suicide. Earlier the deceased lady filed Mahila P.S. Case No. 44/2023, but it was only against her husband. The petitioners never demanded any dowry and they have good relationship with the deceased, who admitted that both the petitioners were beaten by her husband. The father-in-law of the deceased has transferred 50 decimals of land in favour of the deceased and this shows there was no demand and the deceased was treated properly. It appears due to hot talk between the husband and wife, the daughter of the informant committed suicide. The petitioners are in custody since 15.02.2025 and are having clean antecedent.

5. Learned A.P.P. as well as learned counsel for the informant vehemently oppose the submission made on behalf of



the petitioners. The learned counsel for the informant submits that there is specific allegation against the petitioners as well as other co-accused persons that they have been torturing the daughter of the informant on account of demand of a motorcycle.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the non-specific nature of allegation against the petitioners, who are in-laws of the deceased and further considering the period of custody of the petitioners and their clean antecedents, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Mohania, Kaimur/concerned court, in connection with Mohania P.S. Case No. 101 of 2025, subject to the condition laid down under Section 480 (3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the below, if so required by the learned trial court.



(iii) In case of absence on three 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.

(Arun Kumar Jha, J)

V.K.Pandey/-

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